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U. S. DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SOLICITOR.

GEO. P. McCABE, Solicitor.

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158

LAWS APPLICABLE TO THE UNITED
STATES DEPARTMENT OF
AGRICULTURE.

PRINTED FOR THE USE OF OFFICERS AND
EMPLOYEES OF THE DEPARTMENT.



WASHINGTON:
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1908.

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1908

LETTER OF TRANSMITTAL.

U. S. DEPARTMENT OF AGRICULTURE.

OFFICE OF THE SOLICITOR.

Washington, D. C., February 13, 1908.

SIR: I have the honor to transmit herewith a compilation, prepared under my direction, of the laws relating to the Department of Agriculture and to the several bureaus, divisions, and offices thereof.

The work of compilation, with the exception of those provisions relating to the Forest Service, has been done by Mr. Otis H. Gates of this office. The compilation for the Forest Service is furnished by Mr. Philip P. Wells, law officer of that Service.

I recommend the publication of this compilation for the use of the officers and employees of this Department.

Respectfully,

GEO. P. McCABE,
Solicitor.

HON. JAMES WILSON,
Secretary of Agriculture.

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PREFACE.

The purpose of this compilation is to bring together in convenient form, for reference by the officers and employees of the Department of Agriculture, the provisions of law which affect the Department. This compilation collects and presents all sections or portions thereof of the United States Revised Statutes and subsequent enactments from the Statutes at Large, general or permanent in their nature, and not obsolete, superseded, or repealed, including the enactments of the Fifty-ninth Congress, i. e., all provisions relating to the Department of Agriculture in force on July 1, 1907. Provisions of law relating exclusively to the civil service and to accounting have not been included. Provisions and riders from the appropriation acts for the Department of Agriculture have been included. Many of these have acquired more or less of permanency by repetition and observance from year to year, and it has been deemed appropriate to give as notes on such provisions full citations to the Statutes at Large in which they or similar provisions have appeared from year to year, by which their history and evolution may be traced. The provisions of the appropriation act for the Department of Agriculture for the current fiscal year, act of March 4, 1907 (excepting those designating officers, clerks, and employees, and their salaries, which are merely enumerative and are changed from year to year), have been included under the various bureaus, divisions, and offices to which they respectively relate.

The wording, capitalization, punctuation, etc., of the printed statutes have been carefully followed. To economize space, enacting clauses have been omitted as unnecessary. In some cases sections of the Revised Statutes and provisions from the Statutes at Large have been omitted as obsolete or impracticable of enforcement by reason of changed conditions, or as repealed or superseded by implication or by subsequent legislation. Portions of provisions, sections, and acts deemed inapplicable have also been omitted, and such omissions, regardless of their brevity or length, are uniformly indicated by the substitution of three stars or asterisks. The same practice has been followed in the case of amounts in appropriation acts.

At the close of each section or portion thereof is given a reference to the Revised Statutes (second edition) or to the volume and page of

the Statutes at Large, according as the matter is taken from one or the other. The number of the section of the Revised Statutes or the Statutes at Large from which matter is taken has been preserved at the beginning of each section or portion thereof. The date and chapter of each act in the Statutes at Large from which matter has been taken are given as a note at the close of the corresponding section or portion thereof. In the case of acts relating particularly to the Department of Agriculture, and legislative, executive, and judicial appropriation acts, sundry civil appropriation acts, and deficiency appropriation acts, from which matter has been extracted, the titular designation of the act is also given, together with the date and chapter, in the note at the close of the section or portion thereof. Where entire acts relating particularly to the Department of Agriculture are included, the full title of the act is given at the beginning, together with the date, chapter, volume, and page of the Statutes at Large. No attempt has been made to give full explanatory matter in the notes at the close of each section, paragraph, or provision. For cross-reference, the index, which has been made very complete for the purpose, should be consulted.

Owing to the miscellaneous character of the matter included in this compilation, its classification has been difficult. The classification under a few general titles, though more or less arbitrary, has been deemed best adapted to the purpose of the work. In general, the effort has been to place the various acts, sections, and provisions under those headings where they logically have seemed to fall, and to place in juxtaposition related matter without regard to its source or time of enactment.

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LAWS APPLICABLE TO THE UNITED STATES DEPARTMENT OF AGRICULTURE.

PROVISIONS APPLICABLE TO THE ENTIRE DEPARTMENT.

ESTABLISHMENT OF THE DEPARTMENT, DUTIES OF THE SECRETARY AND OTHER EXECUTIVE OFFICERS, AND MISCELLANEOUS PROVISIONS.

SEC. 520. There shall be at the seat of Government a ^{Department of Agriculture established.} Department of Agriculture, the general design and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture, in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants. [R. S.]

That the Department of Agriculture, shall be an Executive Department, under the supervision and control of ^{Department of Agriculture to be an Executive Department.} a Secretary of Agriculture, who shall be appointed by the President, by and with the advice and consent of the Senate; and section one hundred and fifty-eight of the Revised Statutes is hereby amended to include such Department, and the provisions of title four of the Revised Statutes, including all amendments thereto, are hereby made applicable to said Department. [25 Stat. L. 659.]

Agricultural appropriation act of February 9, 1889, ch. 122.
Title 4, R. S., referred to in this section, contains "provisions applicable to all the Executive Departments."

SEC. 158. The provisions of this Title shall apply to the following Executive Departments. ^{Executive Departments.}

First. The Department of State.

Second. The Department of War.

Third. The Department of the Treasury.

Fourth. The Department of Justice.

Fifth. The Post-Office Department.

Sixth. The Department of the Navy.

Seventh. The Department of the Interior. [R. S.]

SEC. 159. The word "Department" when used alone in this Title, and Titles five, six, seven, eight, nine, ten, and ^{Word "Department."}

eleven, means one of the Executive Departments enumerated in the preceding section. [R. S.]

The "Titles" refer to the classification in the U. S. Revised Statutes.

Authority of
Commissioner
of Agriculture
vested in Sec-
retary.

The authority granted to the Commissioner of Agriculture by the act of May twenty-ninth, eighteen hundred and eighty-four, establishing the Bureau of Animal Industry, and by the provisions of the appropriation act for the Agricultural Department, approved July eighteenth, eighteen hundred and eighty-eight, relating to said Bureau, is hereby vested in the Secretary of Agriculture; and the said Secretary is hereby authorized and directed to perform all the duties named in said acts and all other acts of Congress in force on February eighth, eighteen hundred and eighty-nine, to be performed by the Commissioner of Agriculture. [26 Stat. L. 288.]

Agricultural appropriation act of July 14, 1890, ch. 707.

Duties of
Commissioner
of Agriculture.

SEC. 526. The Commissioner of Agriculture shall procure and preserve all information concerning agriculture which he can obtain by means of books and correspondence, and by practical and scientific experiments, accurate records of which experiments shall be kept in his Office, by the collection of statistics, and by any other appropriate means within his power; he shall collect new and valuable seeds and plants; shall test, by cultivation, the value of such of them as may require such tests; shall propagate such as may be worthy of propagation; and shall distribute them among agriculturists. [R. S.]

Annual and
special reports
of Commis-
sioner of Agri-
culture.

SEC. 528. The Commissioner of Agriculture shall annually make a general report in writing of his acts to the President and to Congress, in which he may recommend the publication of papers forming parts of or accompanying his report, which shall also contain an account of all moneys received and expended by him. He shall also make special reports on particular subjects whenever required to do so by the President or either House of Congress, or when he shall think the subject in the public interest. [R. S.]

Office of
Agriculture
Department
of Agriculture

... shall, on ... each year, ... money's ex-

... I have ... the ... records, ... after ac-

SEC. 4. That all laws and parts of laws relating to the Department of Agriculture now in existence, as far as the same are applicable and not in conflict with this act, and only so far, are continued in full force and effect. [25 Stat. L. 659.]

Act of February 9, 1889, ch. 122.

SEC. 3. That the Secretary of Agriculture shall receive the same salary as is paid to the Secretary of each of the Executive Departments, * * * [25 Stat. L. 659].

Act of February 9, 1889, ch. 122.

SEC. 4. That on and after March fourth, nineteen hundred and seven, the compensation of * * * the heads of Executive Departments who are members of the President's Cabinet shall be at the rate of twelve thousand dollars per annum each, * * *. [34 Stat. L. 993.]

Legislative, executive, and judicial appropriation act of February 26, 1907, ch. 1635.

That all existing statutes relating to the Division of Soils, reorganized into the Bureau of Soils; the Division of Forestry, reorganized into the Bureau of Forestry; the Division of Chemistry, reorganized into the Bureau of Chemistry; and the Division of Botany, the Division of Pomology, the Division of Vegetable Physiology and Pathology, the Division of Agrostology and Experimental Gardens and Grounds, reorganized into the Bureau of Plant Industry, not otherwise repealed, shall remain in effect as applying to the respective bureaus into which the divisions named have been reorganized. [32 Stat. L. 303.]

Agricultural appropriation act of June 3, 1902, ch. 985.

SEC. 523. The Commissioner of Agriculture shall appoint a chief clerk, * * * and he shall appoint such other employes as Congress may from time to time provide, with salaries corresponding to the salaries of similar officers in other Departments of the Government; and he shall, as Congress may from time to time provide, employ other persons, for such time as their services may be needed, including chemists, botanists, entomologists, and other persons skilled in the natural sciences pertaining to agriculture. [R. S.]

SEC. 161. The head of each Department is authorized to prescribe regulations, not inconsistent with law, for the government of his Department, the conduct of its officers and clerks, the distribution and performance of its busi-

ness, and the custody, use, and preservation of the records, papers, and property appertaining to it. [R. S.]

Seal for Department of Agriculture.

The Secretary of Agriculture is hereby authorized and directed to procure a proper seal, with such suitable inscriptions and devices as he may approve, to be known as the official seal of the Department of Agriculture, and to be kept and used to verify official documents, under such rules and regulations as he may prescribe. [28 Stat. L. 272.]

Agricultural appropriation act of August 8, 1894, ch. 238.

Assistant Secretary of Agriculture; duties.

SEC. 2. That there shall be in said Department an Assistant Secretary of Agriculture, to be appointed by the President, by and with the advice and consent of the Senate, who shall perform such duties as may be required by law or prescribed by the Secretary. [25 Stat. L. 659.]

Act of February 9, 1889, ch. 122.

Salary of Assistant Secretary of Agriculture.

* * * Assistant Secretary of Agriculture, five thousand dollars; * * * [34 Stat. L. 1256.]

Agricultural appropriation act of March 4, 1907, ch. 2907.

Assistant Secretary of Agriculture to perform duties assigned by Secretary.

* * * the Assistant Secretary is hereby authorized to perform such duties in the conduct of the business of the Department of Agriculture as may be assigned by the Secretary of Agriculture; * * *. [34 Stat. L. 1256.]

Agricultural appropriation act of March 4, 1907, ch. 2907.

The same provision appears in the act of June 30, 1906, ch. 3913, 34 Stat. L. 670.

Chief clerks to supervise subordinate clerks.

SEC. 173. Each chief clerk in the several Departments, and Bureaus, and other offices connected with the Departments, shall supervise, under the direction of his immediate superior, the duties of the other clerks therein, and see that they are faithfully performed. [R. S.]

Chief clerks to distribute duties and report monthly.

SEC. 174. Each chief clerk shall take care, from time to time, that the duties of the other clerks are distributed with equality and uniformity, according to the nature of the case. He shall revise such distribution from time to time, for the purpose of correcting any tendency to undue accumulation or reduction of duties, whether arising from individual negligence or incapacity, or from increase or diminution of particular kinds of business. And he shall report monthly to his superior officer any existing defect that he may be aware of in the arrangement or dispatch of business. [R. S.]

Duty of heads of Departments, etc., on receipt of monthly reports of chief clerk.

SEC. 175. Each head of a Department, chief of a Bureau, or other superior officer, shall, upon receiving each monthly report of his chief clerk, rendered pursuant to the preceding section, examine the facts stated therein,

and take such measures, in the exercise of the powers conferred upon him by law, as may be necessary and proper to amend any existing defects in the arrangement or dispatch of business disclosed by such report. [R. S.]

* * * chief clerk, who shall be superintendent of the Department buildings. * * * [33 Stat. L. 276.]

Chief clerk,
Department of
Agriculture, to
be superintendent
of build-
ings.

Agricultural appropriation act of April 23, 1904, ch. 1486.

Similar provisions appear in previous appropriation acts for a number of years.

That hereafter the commissions of all officers under the direction and control of the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Agriculture shall be made out and recorded in the respective Departments under which they are to serve, and the Department seal affixed thereto, any laws to the contrary notwithstanding: *Provided*, That the said seal shall not be affixed to any such commission before the same shall have been signed by the President of the United States. [29 Stat. L. 75.]

Commissions
to officers to
be issued by
Departments
and signed by
President.

Act of March 28, 1896, ch. 73.

Hereafter it shall be the duty of the head of each Executive Department to require monthly reports to be made to him as to the condition of the public business in the several bureaus or offices of his Department at Washington; and in each case where such reports disclose that the public business is in arrears, the head of the Department in which such arrears exist shall require, as provided herein, an extension of the hours of service to such clerks or employees as may be necessary to bring up such arrears of public business. [30 Stat. L. 317.]

Condition of
business in De-
partments;
monthly re-
ports.

Legislative, executive, and judicial appropriation act of March 15, 1898, ch. 68.

Hereafter it shall be the duty of the head of each Executive Department, or other Government establishment at the seat of government, not under an Executive Department, to make at the expiration of each quarter of the fiscal year a written report to the President as to the condition of the public business in his Executive Department or Government establishment, and whether any branch thereof is in arrears. [30 Stat. L. 317.]

Condition of
business in De-
partments;
quarterly re-
ports to Presi-
dent.

Legislative, executive, and judicial appropriation act of March 15, 1898, ch. 68.

SEC. 2. That the Commissioner of Agriculture is hereby directed and required to account and report to the proper accounting officers of the Treasury in the same manner and at the same times as the heads of executive departments of the government are now required by law to account and report. [21 Stat. L. 385.]

Accounts and
reports of De-
partment of
Agriculture.

Agricultural appropriation act of March 3, 1881, ch. 129. The same provision was enacted in the act of June 16, 1880, ch. 252, 21 Stat. L. 296.

Vacancies in
headships of
Departments.

SEC. 177. In case of the death, resignation, absence, or sickness of the head of any Department, the first or sole assistant thereof shall, unless otherwise directed by the President, as provided by section one hundred and seventy-nine, perform the duties of such head until a successor is appointed, or such absence or sickness shall cease. [R. S.]

Vacancies in
subordinate of-
fices.

SEC. 178. In case of the death, resignation, absence, or sickness of the chief of any Bureau, or of any officer thereof, whose appointment is not vested in the head of the Department, the assistant or deputy of such chief or of such officer, or if there be none, then the chief clerk of such Bureau, shall, unless otherwise directed by the President, as provided by section one hundred and seventy-nine, perform the duties of such chief or of such officer until a successor is appointed or such absence or sickness shall cease. [R. S.]

President
may fill va-
cancies tem-
porarily.

SEC. 179. In any of the cases mentioned in the two preceding sections, except the death, resignation, absence, or sickness of the Attorney-General, the President may, in his discretion, authorize and direct the head of any other Department or any other officer in either Department, whose appointment is vested in the President, by and with the advice and consent of the Senate, to perform the duties of the vacant office until a successor is appointed, or the sickness or absence of the incumbent shall cease. [R. S.]

Temporary
appointments
to fill vacan-
cies limited.

SEC. 180. A vacancy occasioned by death or resignation must not be temporarily filled under the three preceding sections for a longer period than thirty days. [R. S.]

As amended by act of February 6, 1891, ch. 113, 26 Stat. L. 733.

Closing De-
partments for
deceased ex-
official pro-
hibited.

SEC. 4. That hereafter the Executive Departments of the Government shall not be closed as a mark to the memory of any deceased ex-official of the United States. [27 Stat. L. 715.]

Legislative, executive, and judicial appropriation act of March 3, 1893, ch. 211.

Restrictions
on temporary
appointments
to fill va-
cancies.

SEC. 181. No temporary appointment, designation, or assignment of one officer to perform the duties of another, in the cases covered by sections one hundred and seventy-seven and one hundred and seventy-eight, shall be made otherwise than as provided by those sections, except to fill a vacancy happening during a recess of the Senate. [R. S.]

Officer tem-
porarily filling
vacancy not
entitled to ex-
tra compensa-
tion.

SEC. 182. An officer performing the duties of another office, during a vacancy, as authorized by sections one hundred and seventy-seven, one hundred and seventy-eight, and one hundred and seventy-nine, is not by reason

thereof entitled to any other compensation than that attached to his proper office. [R. S.]

SEC. 356. The head of any Executive Department may require the opinion of the Attorney-General on any questions of law arising in the administration of his Department. [R. S.]

Opinion of Attorney-General upon questions of law.

SEC. 361. The officers of the Department of Justice, under the direction of the Attorney-General, shall give all opinions and render all services requiring the skill of persons learned in the law necessary to enable the President and heads of Departments, and the heads of Bureaus and other officers in the Departments, to discharge their respective duties; and shall, on behalf of the United States, procure the proper evidence for, and conduct, prosecute, or defend all suits and proceedings in the Supreme Court and in the Court of Claims, in which the United States, or any officer thereof, as such officer, is a party or may be interested; and no fees shall be allowed or paid to any other attorney or counselor at law for any service herein required of the officers of the Department of Justice, except in the cases provided by section three hundred and sixty-three. [R. S.]

Officers of the Department of Justice to perform all legal services required for other Departments.

SEC. 364. Whenever the head of a Department or Bureau gives the Attorney-General due notice that the interests of the United States require the service of counsel upon the examination of witnesses touching any claim, or upon the legal investigation of any claim, pending in such Department or Bureau, the Attorney-General shall provide for such service. [R. S.]

Services of counsel to be provided other Departments, etc., by Attorney-General.

SEC. 365. No compensation shall hereafter be allowed to any person, besides the respective district attorneys and assistant district attorneys for services as an attorney or counselor to the United States, or to any branch or Department of the Government thereof, except in cases specially authorized by law, and then only on the certificate of the Attorney-General that such services were actually rendered, and that the same could not be performed by the Attorney-General, or Solicitor-General, or the officers of the Department of Justice, or by the district attorneys. [R. S.]

Counsel fees restricted.

SEC. 184. Any head of a Department or Bureau in which a claim against the United States is properly pending may apply to any judge or clerk of any court of the United States, in any State, District, or Territory, to issue a subpoena for a witness being within the jurisdiction of such court, to appear at a time and place in the subpoena stated, before any officer authorized to take depositions to be used in the courts of the United States,

Subpoenas to witnesses.

there to give full and true answers to such written interrogatories and cross-interrogatories as may be submitted with the application, or to be orally examined and cross-examined upon the subject of such claim. [R. S.]

Professional assistance; how obtained.

Sec. 187. Whenever any head of a Department or Bureau having made application pursuant to section one hundred and eighty-four, for a subpoena to procure the attendance of a witness to be examined, is of opinion that the interests of the United States require the attendance of counsel at the examination, or require legal investigation of any claim pending in his Department or Bureau, he shall give notice thereof to the Attorney-General, and of all facts necessary to enable the Attorney-General to furnish proper professional service in attending such examination, or making such investigation, and it shall be the duty of the Attorney-General to provide for such service. [R. S.]

Information, etc., to be furnished by the Departments in suits pending in the Court of Claims.

Sec. 188. In all suits brought against the United States in the Court of Claims founded upon any contract, agreement, or transaction with any Department, or any Bureau, officer, or agent of a Department, or where the matter or thing on which the claim is based has been passed upon and decided by any Department, Bureau, or officer authorized to adjust it, the Attorney-General shall transmit to such Department, Bureau, or officer, a printed copy of the petition filed by the claimant, with a request that the Department, Bureau, or officer, shall furnish to the Attorney-General all facts, circumstances, and evidence touching the claim in the possession or knowledge of the Department, Bureau, or officer. Such Department, Bureau, or officer shall, without delay, and within a reasonable time, furnish the Attorney-General with a full statement, in writing, of all such facts, information, and proofs. The statement shall contain a reference to or description of all such official documents or papers, if any, as may furnish proof of facts referred to in it, or may be necessary and proper for the defense of the United States against the claim, mentioning the Department, office, or place where the same is kept or may be procured. If the claim has been passed upon and decided by the Department, Bureau, or officer, the statement shall succinctly state the reasons and principles upon which such decision was based. In all cases where such decision was founded upon any act of Congress, or upon any section or clause of such act, the same shall be cited specifically; and if any previous interpretation or construction has been given to such act, section, or clause by the Department, Bureau, or officer, the same shall be set forth succinctly in the statement, and a copy of the opinion filed, if any, shall be annexed to it. Where any decision in the case has been based upon any regulation of

a Department, or where such regulation ~~has~~, in the opinion of the Department, Bureau, or officer transmitting such statement, any bearing upon the claim in ~~suit~~, the same shall be distinctly quoted at length in the statement. But where more than one case, or a class of cases, is pending, the defense to which rests upon the same facts, circumstances, and proofs, the Department, Bureau, or officer shall only be required to certify and transmit one statement of the same, and such statement shall be held to apply to all such cases, as if made out, certified, and transmitted in each case respectively. [R. S.]

SEC. 189. No head of a Department shall employ attorneys or counsel at the expense of the United States; but when in need of counsel or advice, shall call upon the Department of Justice, the officers of which shall attend to the same. [R. S.]

Employment of attorneys or counsel prohibited.

That the Court of Claims shall have jurisdiction to hear and determine the following matters:

Suits against the Government; jurisdiction of the Court of Claims.

First. All claims founded upon the Constitution of the United States or any law of Congress, * * * or upon any regulation of an Executive Department, or upon any contract, expressed or implied, with the Government of the United States, or for damages, liquidated or unliquidated, in cases not sounding in tort, in respect of which claims the party would be entitled to redress against the United States either in a court of law, equity, or admiralty if the United States were suable: *Provided, however,* That nothing in this section shall be construed as giving to either of the courts herein mentioned, jurisdiction to hear and determine claims * * * which have heretofore been rejected, or reported on adversely by any court, Department, or commission authorized to hear and determine the same.

Second. All set-offs, counter-claims, claims for damages, whether liquidated or unliquidated, or other demands whatsoever on the part of the Government of the United States against any claimant against the Government in said court: *Provided,* That no suit against the Government of the United States, shall be allowed under this act unless the same shall have been brought within six years after the right accrued for which the claim is made. [24 Stat. L. 505.]

Suits against the Government; set-offs, counterclaims, etc.

Act of March 3, 1887, ch. 359. "This act 'was intended to be in enlargement and not in restriction of jurisdiction,' and is *in pari materia* with the various provisions embodied in R. S., secs. 1049-1063" (Ingram v. U. S. (1897) 32 Ct. Cl. 147).

SEC. 1063. Whenever any claim is made against any Executive Department, involving disputed facts or controverted questions of law, where the amount in controversy exceeds three thousand dollars, or where the decision

Claims referred by Departments to Court of Claims.

will affect a class of cases, or furnish a precedent for the future action of any Executive Department in the adjustment of a class of cases, without regard to the amount involved in the particular case, or where any authority, right, privilege, or exemption is claimed or denied under the Constitution of the United States, the head of such Department may cause such claim, with all the vouchers, papers, proofs, and documents pertaining thereto, to be transmitted to the Court of Claims, and the same shall be there proceeded in as if originally commenced by the voluntary action of the claimant; and the Secretary of the Treasury may, upon the certificate of any Auditor or Comptroller of the Treasury, direct any account, matter, or claim, of the character, amount, or class described in this section, to be transmitted, with all the vouchers, papers, documents, and proofs pertaining thereto, to the said court, for trial and adjudication: *Provided*, That no case shall be referred by any head of a Department unless it belongs to one of the several classes of cases which, by reason of the subject-matter and character, the said court might, under existing laws, take jurisdiction of on such voluntary action of the claimant. [R. S.]

Claims referred by Departments to Court of Claims; report of findings.

SEC. 2. That when a claim or matter is pending in any of the executive departments which may involve controverted questions of fact or law, the head of such department may transmit the same, with the vouchers, papers, proofs, and documents pertaining thereto, to said court [Court of Claims], and the same shall be there proceeded in under such rules as the court may adopt. When the facts and conclusions of law shall have been found, the court shall not enter judgment thereon, but shall report its findings and opinions to the department by which it was transmitted for its guidance and action. [22 Stat. L. 485.]

Act of March 3, 1883, ch. 116. "This section does not repeal any part of R. S. sec. 1063, and should be read as if it were a proviso to that section, without any conflict between them; nor is it in conflict with the Tucker Act of March 3, 1887." (See the two sections next following.)

Claims referred by Departments to Court of Claims; report of findings.

SEC. 12. That when any claim or matter may be pending in any of the Executive Departments which involves controverted questions of fact or law, the head of such Department, with the consent of the claimant, may transmit the same, with the vouchers, papers, proofs, and documents pertaining thereto, to said Court of Claims, and the same shall be there proceeded in under such rules as the court may adopt. When the facts and conclusions of law shall have been found, the court shall report its findings to the Department by which it was transmitted. [24 Stat. L. 507.]

Act of March 3, 1887, ch. 359.

SEC. 13. That in every case which shall come before the Court of Claims, or is now pending therein, under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March third, eighteen hundred and eighty-three, if it shall appear to the satisfaction of the court, upon the facts established, that it has jurisdiction to render judgment or decree thereon under existing laws or under the provisions of this act, it shall proceed to do so, giving to either party such further opportunity for hearing as in its judgment justice shall require, and report its proceedings therein to either House of Congress or to the Department by which the same was referred to said court. [24 Stat. L. 507.]

Procedure in cases referred by Departments to Court of Claims; report of proceedings.

Act of March 3, 1887, ch. 359.

SEC. 1064. All cases transmitted by the head of any Department, or upon the certificate of any Auditor or Comptroller, according to the provisions of the preceding section [sec. 1063 R. S.], shall be proceeded in as other cases pending in the Court of Claims, and shall, in all respects, be subject to the same rules and regulations. [R. S.]

Procedure in cases transmitted by Departments to Court of Claims.

SEC. 1065. The amount of any final judgment or decree rendered in favor of the claimant, in any case transmitted to the Court of Claims under the two preceding sections, shall be paid out of any specific appropriation applicable to the case, if any such there be; and where no such appropriation exists, the judgment or decree shall be paid in the same manner as other judgments of the said court. [R. S.]

Judgments in cases transmitted by Departments to Court of Claims.

SEC. 1076. The said court shall have power to call upon any of the Departments for any information or papers it may deem necessary, and shall have the use of all recorded and printed reports made by the committees of each House of Congress, when deemed necessary in the prosecution of its business. But the head of any Department may refuse and omit to comply with any call for information or papers when, in his opinion, such compliance would be injurious to the public interest. [R. S.]

Power of Court of Claims to call upon Departments for information.

That no suit, action, or other proceeding lawfully commenced by or against the head of any Department or Bureau or other officer of the United States in his official capacity, or in relation to the discharge of his official duties, shall abate by reason of his death, or the expiration of his term of office, or his retirement, or resignation, or removal from office, but, in such event, the Court, on motion or supplemental petition filed, at any time within

Suit against officer of United States not to abate on death.

twelve months thereafter, showing a necessity for the survival thereof to obtain a settlement of the questions involved, may allow the same to be maintained by or against his successor in office, and the Court may make such order as shall be equitable for the payment of costs. [30 Stat. L. 822.]

Act of February 8, 1899, ch. 121.

Heads of Departments privileged to use Library of Congress.

SEC. 94. The Joint Committee on the Library is authorized to grant the privilege of using and drawing books from the Library, in the same manner and subject to the same regulations as members of Congress, to any of the following persons:

First. Heads of Departments. * * * [R. S.]

Departments to furnish information in preparation of census.

SEC. 28. That the Secretary of the Interior, on request of the Director of the Census, is hereby authorized to call upon any other department or office of the Government for information pertinent to the work herein provided for. [30 Stat. L. 1021.]

Act of March 3, 1889, ch. 419.

Departments to aid in fisheries investigations.

SEC. 4397. The heads of the several Executive Departments shall cause to be rendered all necessary and practicable aid to the Commissioner [of Fish and Fisheries] in the prosecution of his investigations and inquiries. [R. S.]

Departments to aid in acquisition of collection for Zoological Park.

SEC. 3. That the heads of executive departments of the Government are hereby authorized and directed to cause to be rendered all necessary and practicable aid to the said regents in the acquisition of collections for the Zoological Park. [26 Stat. L. 78.]

Act of April 30, 1890, ch. 173.

Prohibition on personal use of horses and carriages.

SEC. 3. * * * No part of any money appropriated by this or any other Act shall be available for paying expenses of horses and carriages or drivers therefor for the personal use of any officer provided for by this or any other Act other than the President of the United States, the heads of Executive Departments, and the Secretary to the President: *Provided*, That this provision shall not apply to officials outside of the District of Columbia in the performance of their public duties. This paragraph shall not take effect until July first, nineteen hundred and four. [33 Stat. L. 142.]

Legislative, executive, and judicial appropriation act of March 18, 1904, ch. 716.

Restrictions on personal use of vehicles.

SEC. 4. No part of any money appropriated by this or any other Act shall be used for purchasing, maintaining, driving, or operating any carriage or vehicle (other than

those for the use of the President of the United States, the heads of the Executive Departments, and the Secretary to the President, and other than those used for transportation of property belonging to or in the custody of the United States), for the personal or official use of any officer or employee of any of the Executive Departments, or other Government establishments at Washington, District of Columbia, unless the same shall be specifically authorized by law or provided for in terms by appropriation of money, and all such carriages and vehicles so procured and used for official purposes shall have conspicuously painted thereon at all times the full name of the Executive Department or other branch of the public service to which the same belong and in the service of which the same are used. [33 Stat. L. 687.]

Name of Department to appear on vehicles.

Legislative, executive, and judicial appropriation act of February 3, 1905, ch. 297.

SEC. 15. That the Commissioner of Internal Revenue is authorized to have applied scientific tests, and to decide whether any substances used in the manufacture of filled cheese contain ingredients deleterious to health. But in case of doubt or contest his decision in this class of cases may be appealed from to a board hereby constituted for the purpose, and composed of the Surgeon-General of the Army, the Surgeon-General of the Navy, and the Secretary of Agriculture, and the decision of this board shall be final in the premises. [29 Stat. L. 256.]

Secretary of Agriculture to be a member of board of appeal in filled cheese cases.

Act of June 6, 1896, ch. 337.

SEC. 5. That there shall be an advisory board for the hygienic laboratory provided by the Act of Congress approved March third, nineteen hundred and one, for consultation with the Surgeon-General of the Public Health and Marine-Hospital Service relative to the investigations to be inaugurated, and the methods of conducting the same, in said laboratory. Said board shall consist of three competent experts, to be detailed from the Army, the Navy, and the Bureau of Animal Industry by the Surgeon-General of the Army, the Surgeon-General of the Navy, and the Secretary of Agriculture, respectively, which experts, with the director of the said laboratory, shall be ex officio members of the board, and serve without additional compensation. * * * [32 Stat. L. 713.]

Secretary of Agriculture to detail expert from Bureau of Animal Industry as member of advisory board of hygienic laboratory.

Act of July 1, 1902, ch. 1370.

The Postmaster-General * * * shall contract for a period not exceeding four years, for all envelopes, stamped or otherwise, designed * * * for use by the * * * Executive Departments, and all Government bureaus and establishments, and the branches of the service coming under their jurisdiction, and may contract for them to be

Envelopes for Departments to be contracted for by Postmaster-General.

plain or with such printed matter as may be prescribed by the Department making requisition therefor: * * *
[34 Stat. L. 476.]

Act of June 26, 1906, ch. 3546.

Penalty envelopes for inclosure of answers to official communications.

SEC. 2. * * * And it shall be the duty of the respective departments to inclose to Senators, Representatives and Delegates in Congress, in all official communications requiring answers, or to be forwarded to others, penalty envelopes addressed as far as practicable, for forwarding or answering such official correspondence. [22 Stat. L. 563.]

Legislative, executive, and judicial appropriation act of March 3, 1883, ch. 128. First part of this section, here omitted, is superseded by act of July 5, 1884.

Letters, packages, etc., on official business may be sent free.

SEC. 5. That it shall be lawful to transmit through the mail, free of postage, any letters, packages, or other matters relating exclusively to the business of the Government of the United States: *Provided*, That every such letter or package to entitle it to pass free shall bear over the words "Official business" an endorsement showing also the name of the Department, and, if from a bureau or office, the names of the Department and bureau or office, as the case may be, whence transmitted. And if any person shall make use of any such official envelope to avoid the payment of postage on his private letter, package, or other matter in the mail, the person so offending shall be deemed guilty of a misdemeanor, and subject to a fine of three hundred dollars, to be prosecuted in any court of competent jurisdiction. [19 Stat. L. 335.]

Act of March 3, 1877, ch. 103.

Departments to provide official envelopes.

SEC. 6. That for the purpose of carrying this act into effect, it shall be the duty of each of the Executive Departments of the United States to provide for itself and its subordinate offices the necessary envelopes: and in addition to the endorsement designating the Department in which they are to be used, the penalty for the unlawful use of these envelopes shall be stated thereon. [19 Stat. L. 336.]

Act of March 3, 1877, ch. 103.

Letters, packages, etc., on official business may be sent free by all officers of the Government.

SEC. 3. * * * The provisions of the fifth and sixth section of the act entitled "An act establishing post-routes, and for other purposes" approved March third, eighteen hundred and seventy-seven, for the transmission of official mail-matter, be, and they are hereby, extended to all officers of the United States Government, not including members of Congress, the envelopes of such matter in all cases to bear appropriate indorsements containing the proper designation of the office from which or officer from whom the same is transmitted, with a statement

Official envelopes to bear designation of office and statement of penalty.

of the penalty for their misuse. * * * *Provided*, Penalty envelopes may be sent to persons from whom is to be received official mail matter. That any Department or officer authorized to use the penalty envelopes may inclose them with return address to any person or persons from or through whom official information is desired, the same to be used only to cover such official information, and indorsements relating thereto: *Provided further*, That any letter or packet to be registered by either of the Executive Departments or Bureaus thereof, or by the Agricultural Department, * * * may be registered without the payment of any registry fee; and any part-paid letter or packet addressed to either of said Departments or Bureaus may be delivered free; but where there is good reason to believe the omission to prepay the full postage thereon was intentional, such letter or package shall be returned to the sender: *Provided further*, That this act shall not extend or apply to * * * officers who receive a fixed allowance as compensation for their services, including expenses of postages. And section thirty-nine hundred and fifteen of the Revised Statutes of the United States, so far as the same relates to stamps and stamped envelopes for official purposes, is hereby repealed. [23 Stat. L. 158.] Official mail matter may be registered free.

Act of July 5, 1884, ch. 234.

SEC. 4. * * * The franking privilege, as the same is regulated by law, shall extend to the Hawaiian Islands. Franking privilege extended to Hawaiian Islands. [30 Stat. L. 966.]

Act of March 1, 1899, ch. 327.

That hereafter no article, package, or other matter, except postage stamps, stamped envelopes, newspaper wrappers, postal cards, and internal-revenue stamps, shall be admitted to the mails under a penalty privilege, unless such article, package, or other matter, except postage stamps, stamped envelopes, newspaper wrappers, postal cards, and internal-revenue stamps would be entitled to admission to the mails under laws requiring payment of postage. Penalty privilege limited to strictly mailable matter.

That hereafter it shall be unlawful for any person entitled under the law to the use of a frank to lend said frank or permit its use by any committee, organization, or association, or permit its use by any person for the benefit or use of any committee, organization, or association: * * * [34 Stat. L. 477.] Loan of frank to committees, organizations, etc., prohibited.

Act of June 26, 1906, ch. 3546.

That mailable matter of the fourth class shall embrace all matter not embraced in the first, second, or third class which is not in its form or nature liable to destroy, deface, or otherwise damage the contents of the mail bag or harm the person of anyone engaged in the postal service, and is not above the weight provided by law, which is hereby declared to be not exceeding four pounds for each pack- Official mail matter; restrictions as to character and weight.

age thereof, except in case of single books weighing in excess of that amount, and except for books and documents published or circulated by order of Congress, or printed or written official matter emanating from any of the Departments of the Government * * * [29 Stat. L. 262.]

Act of June 8, 1896, ch. 370.

Seeds and reports from Department of Agriculture transmitted free.

SEC. 7. That seeds transmitted by the Commissioner of Agriculture, or by any member of Congress or delegate receiving seeds for distribution from said Department, together with agricultural reports emanating from that Department, and so transmitted, shall, under such regulations as the Postmaster-General shall prescribe, pass through the mails free of charge. And the provisions of this section shall apply to ex-members of Congress and ex-delegates for the period of nine months after the expiration of their terms as members and delegates. [18 Stat. L. 343.]

Act of March 3, 1875, ch. 128.

Government to have priority in transmission of telegraph messages; penalty for neglect or refusal.

SEC. 5266. Telegrams between the several Departments of the Government and their officers and agents, in their transmission over the lines of any telegraph company to which has been given the right of way, timber, or station lands from the public domain shall have priority over all other business, at such rates as the Postmaster-General shall annually fix. And no part of any appropriation for the several Departments of the Government shall be paid to any company which neglects or refuses to transmit such telegrams in accordance with the provisions of this section. [R. S.]

Refusal to transmit telegraph messages for Government; penalty.

SEC. 5269. Whenever any telegraph company, after having filed its written acceptance with the Postmaster-General of the restrictions and obligations required by the act approved July twenty-fourth, eighteen hundred and sixty-six, entitled "An act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, and other purposes," or by this Title, shall, by its agents or employés, refuse or neglect to transmit any such telegraphic communications as are provided for by the aforesaid act, or by this Title, or by the provisions of section two hundred and twenty-one, Title "THE DEPARTMENT OF WAR," authorizing the Secretary of War to provide for taking meteorological observations at the military stations and other points of the interior of the continent, and for giving notice on the northern lakes and sea-board of the approach and force of storms, such telegraph company shall be liable to a penalty of not less than one hundred dollars and not more than one thousand dollars for each such refusal or neglect. To be recovered by an action or actions at law in any district court of the United States. [R. S.]

Whereas, large collections illustrative of the various arts and sciences and facilitating literary and scientific research have been accumulated by the action of Congress through a series of years at the national capital; and

Scientific and literary collections of the Government accessible to students.

Whereas it was the original purpose of the Government thereby to promote research and the diffusion of knowledge, and is now the settled policy and present practice of those charged with the care of these collections specially to encourage students who devote their time to the investigation and study of any branch of knowledge by allowing to them all proper use thereof; and

Whereas it is represented that the enumeration of these facilities and the formal statement of this policy will encourage the establishment and endowment of institutions of learning at the seat of Government, and promote the work of education by attracting students to avail themselves of the advantages aforesaid under the direction of competent instructors: Therefore,

Resolved, * * * That the facilities for research and illustration in the following and any other Governmental collections now existing or hereafter to be established in the city of Washington for the promotion of knowledge shall be accessible, under such rules and restrictions as the officers in charge of each collection may prescribe, subject to such authority as is now or may hereafter be permitted by law, to the scientific investigators and to students of any institution of higher education now incorporated or hereafter to be incorporated under the laws of Congress or of the District of Columbia, to wit:

One. Of the Library of Congress.

Two. Of the National Museum.

Three. Of the Patent Office.

Four. Of the Bureau of Education.

Five. Of the Bureau of Ethnology.

Six. Of the Army Medical Museum.

Seven. Of the Department of Agriculture.

Eight. Of the Fish Commission.

Nine. Of the Botanic Gardens.

Ten. Of the Coast and Geodetic Survey.

Eleven. Of the Geological Survey.

Twelve. Of the Naval Observatory. [27 Stat. L. 395.]

Resolution of April 12, 1892. No. 8.

* * * That facilities for study and research in the Government Departments, the Library of Congress, the National Museum, the Zoological Park, the Bureau of Ethnology, the Fish Commission, the Botanic Gardens, and similar institutions hereafter established shall be afforded to scientific investigators and to duly qualified individuals, students, and graduates of institutions of learning in the several States and Territories, as well as in the District of Columbia, under such rules and restric

Facilities of Government institutions afforded investigators, students, etc.

tions as the heads of the Departments and Bureaus mentioned may prescribe. [31 Stat. L. 1039.]

Deficiency appropriation act of March 3, 1901, ch. 831.

OFFICERS, CLERKS, AND EMPLOYEES.

Classification
of Department
clerks.

SEC. 163. The clerks in the Departments shall be arranged in four classes, distinguished as the first, second, third, and fourth classes. [R. S.]

Department
officers to en-
force civil serv-
ice rules.

SEC. 2. That it shall be the duty of said [Civil Service] Commissioners:

FIRST. To aid the President, as he may request, in preparing suitable rules for carrying this act into effect, and when said rules shall have been promulgated it shall be the duty of all officers of the United States in the departments and offices to which any such rules may relate to aid, in all proper ways, in carrying said rules, and any modifications thereof, into effect. [22 Stat. L. 403.]

Act of January 16, 1883, ch. 27.

Classification
of officers,
clerks, etc., not
before classi-
fied.

SEC. 6. * * * That from time to time said Secretary [of the Treasury], the Postmaster-General, and each of the heads of departments mentioned in the one hundred and fifty-eighth section of the Revised Statutes, and each head of an office, shall, on the direction of the President, and for facilitating the execution of this act, respectively revise any then existing classification or arrangement of those in their respective departments and offices, and shall, for the purposes of the examination herein provided for, include in one or more of such classes, so far as practicable, subordinate places, clerks, and officers in the public service pertaining to their respective departments not before classified for examination. [22 Stat. L. 406.]

Act of January 16, 1883, ch. 27.

Appointments
and promo-
tions only on
examination.

SEC. 7. That after the expiration of six months from the passage of this act no officer or clerk shall be appointed, and no person shall be employed to enter or be promoted in either of the said classes now existing, or that may be arranged hereunder pursuant to said rules, until he has passed an examination, or is shown to be specially exempted from such examination in conformity herewith.

Preference to
discharged sol-
diers and sail-
ors.

But nothing herein contained shall be construed to take from those honorably discharged from the military or naval service any preference conferred by the seventeen hundred and fifty-fourth section of the Revised Statutes, nor to take from the President any authority not inconsistent with this act conferred by the seventeen hundred and fifty-third section of said statutes; nor shall any officer not in the executive branch of the government, or any person merely employed as a laborer or workman, be

Employees
not in executive
branch and la-
borers not
classified.

required to be classified hereunder; nor, unless by the direction of the Senate, shall any person who has been nominated for confirmation by the Senate be required to be classified or to pass an examination. [22 Stat. L. 406.]

Act of January 16, 1883, ch. 27.

All classified laborers whose positions are transferred from the lump funds to the statutory rolls are hereby placed in the classified service without further examination in the grades and at the rates of compensation herein provided. [33 Stat. L. 883.]

Laborers transferred to classified service without examination.

Agricultural appropriation act of March 3, 1905, ch. 1405.

* * * That all classified laborers whose positions were transferred from the lump funds to the statutory rolls by the Act making appropriations for the Department of Agriculture approved March third, nineteen hundred and five, and who were by the last clause of that Act placed in the classified service without further examination in the grades and at the rates of compensation provided in said Act, are hereby made eligible for promotion without further examination. [34 Stat. L. 695.]

Laborers transferred to classified service made eligible for promotion.

Agricultural appropriation act of June 30, 1906, ch. 3913.

SEC. 165. Women may, in the discretion of the head of any Department, be appointed to any of the clerkships therein authorized by law, upon the same requisites and conditions, and with the same compensations, as are prescribed for men. [R. S.]

Clerkships open to women.

SEC. 167. The annual salaries of clerks and employes in the Departments, whose compensation is not otherwise prescribed, shall be as follows:

Salaries of clerks and other employees.

First. To clerks of the fourth class, eighteen hundred dollars.

Second. To clerks of the third class, sixteen hundred dollars.

Third. To clerks of the second class, fourteen hundred dollars.

Fourth. To clerks of the first class, twelve hundred dollars.

Fifth. To the women employed in duties of a clerical character, subordinate to those assigned to clerks of the first class, including copyists and counters, or temporarily employed to perform the duties of a clerk, nine hundred dollars.

Sixth. To messengers, eight hundred and forty dollars.

Seventh. To assistant messengers, seven hundred and twenty dollars.

Eighth. To laborers, seven hundred and twenty dollars.

Ninth. To watchmen, seven hundred and twenty dollars. [R. S.]

Distribution of clerks may be altered.

SEC. 166. Each head of a Department may, from time to time, alter the distribution among the various bureaus and offices of his Department, of the clerks and other employees allowed by law, except such clerks or employees as may be required by law to be exclusively engaged upon some specific work, as he may find it necessary and proper to do, but all details hereunder shall be made by written order of the head of the Department, and in no case be for a period of time exceeding one hundred and twenty days: *Provided*, That details so made may, on expiration, be renewed from time to time by written order of the head of the Department, in each particular case, for periods of not exceeding one hundred and twenty days. All details heretofore made are hereby revoked, but may be renewed as provided herein. [R. S.]

Temporary details of clerks restricted.

As amended by the legislative, executive, and judicial appropriation act of May 28, 1896. ch. 252, 29 Stat. L. 179.

Transfer of duties to clerks of lower classes.

SEC. 3. That whenever, in the judgment of the head of any department, the duties assigned to a clerk of one class can be as well performed by a clerk of a lower class or by a female clerk, it shall be lawful for him to diminish the number of clerks of the higher grade and increase the number of the clerks of the lower grade within the limit of the total appropriation for such clerical service: *Provided*, That in making any reduction of force in any of the executive departments, the head of such department shall retain those persons who may be equally qualified who have been honorably discharged from the military or naval service of the United States, and the widows and orphans of deceased soldiers and sailors. [19 Stat. L. 169.]

Preference to discharged soldiers and sailors.

Legislative, executive, and judicial appropriation act of August 15, 1876, ch. 287.

Salaries of temporary clerks.

SEC. 168. Except when a different compensation is expressly prescribed by law, any clerk temporarily employed to perform the same or similar duties with those belonging to clerks of either class, is entitled to the same salary as is allowed to clerks of that class. [R. S.]

Departments authorized to employ clerks and other employees.

SEC. 169. Each head of a Department is authorized to employ in his Department such number of clerks of the several classes recognized by law, and such messengers, assistant messengers, copyists, watchmen, laborers, and other employes, and at such rates of compensation, respectively, as may be appropriated for by Congress from year to year. [R. S.]

Employment of clerks and other employees beyond provision of law prohibited.

SEC. 5. That the executive officers of the Government are hereby prohibited from employing any clerk, agent, engineer, draughtsman messenger watchman, laborer, or other employee, in any of the executive departments in

the city of Washington, or elsewhere beyond provision made by law. [19 Stat. L. 169.]

Legislative, executive, and judicial appropriation act of August 15, 1876, ch. 287.

SEC. 170. No money shall be paid to any clerk employed in either Department at an annual salary, as compensation for extra services, unless expressly authorized by law. [R. S.] Compensation to clerks for extra services prohibited.

SEC. 3. That no civil officer of the Government shall hereafter receive any compensation or perquisites, directly or indirectly, from the treasury or property of the United States beyond his salary or compensation allowed by law: * * * [18 Stat. L. 109.] Extra compensation to officers prohibited.

Legislative, executive, and judicial appropriation act of June 20, 1874, ch. 328.

SEC. 1765. No officer in any branch of the public service, or any other person whose salary, pay, or emoluments are fixed by law or regulations, shall receive any additional pay, extra allowance, or compensation, in any form whatever, for the disbursement of public money, or for any other service or duty whatever, unless the same is authorized by law, and the appropriation therefor explicitly states that it is for such additional pay, extra allowance, or compensation. [R. S.] Extra allowances, etc., to officers, etc., forbidden.

SEC. 4. That no civil officer, clerk, draughtsman, copyist, messenger, assistant messenger, mechanic, watchman, laborer, or other employee shall after the first day of October next be employed in any of the executive departments, or subordinate bureaus or offices thereof at the seat of government, except only at such rates and in such numbers, respectively, as may be specifically appropriated for by Congress for such clerical and other personal services for each fiscal year; and no civil officer, clerk, draughtsman, copyist, messenger, assistant messenger, mechanic, watchman, laborer, or other employee shall hereafter be employed at the seat of government in any executive department or subordinate bureau or office thereof or be paid from any appropriation made for contingent expenses, or for any specific or general purpose, unless such employment is authorized and payment therefor specifically provided in the law granting the appropriation, and then only for services actually rendered in connection with and for the purposes of the appropriation from which payment is made, and at the rate of compensation usual and proper for such services, and after the first day of October next section one hundred and seventy-two of the Revised Statutes, and all other laws and parts of laws inconsistent with the provisions of this act, and all laws and parts of laws authorizing the employment of Officers, clerks, and employees to be paid from specific appropriations only.

officers, clerks, draughtsmen, copyists, messengers, assistant messengers, mechanics, watchmen, laborers, or other employees at a different rate of pay or in excess of the numbers authorized by appropriations made by Congress, be, and are hereby, repealed; * * * and thereafter all moneys accruing from lapsed salaries, or from unused appropriations for salaries, shall be covered into the Treasury: * * * [22 Stat. L. 255.]

Legislative, executive, and judicial appropriation act of August 5, 1882, ch. 389.

Restriction
on employing
extra clerks.

SEC. 171. No extra clerk shall be employed in any Department, Bureau, or office, at the seat of Government, except during the session of Congress, or when indispensably necessary in answering some call made by either House of Congress at one session to be answered at another; nor then, except by order of the head of the Department in which, or in some Bureau or office of which, such extra clerk shall be employed. And no extra clerk employed in either of the Departments shall receive compensation except for time actually and necessarily employed, nor any greater compensation than three dollars a day for copying, or four dollars a day for any other service. [R. S.]

Person re-
ceiving \$2,500
not to receive
compensation
of other office.

SEC. 1763. No person who holds an office, the salary or annual compensation attached to which amounts to the sum of two thousand five hundred dollars, shall receive compensation for discharging the duties of any other office, unless expressly authorized by law. [R. S.]

Holding two
offices by per-
sons receiving
\$2,500. forbid-
den.

SEC. 2. * * * No person who holds an office the salary or annual compensation attached to which amounts to the sum of two thousand five hundred dollars shall be appointed to or hold any other office to which compensation is attached unless specially heretofore or hereafter specially authorized thereto by law; * * * [28 Stat. L. 205.]

Legislative, executive, and judicial appropriation act of July 31, 1894, ch. 174.

Compensa-
tion for duties
of other office,
or for extra
services pro-
hibited.

SEC. 1764. No allowance or compensation shall be made to any officer or clerk, by reason of the discharge of duties which belong to any other officer or clerk in the same or any other Department; and no allowance or compensation shall be made for any extra services whatever, which any officer or clerk may be required to perform, unless expressly authorized by law. [R. S.]

Additional
compensation
not to be paid
from appropri-
ations of De-
partment of
Agriculture.

SEC. 2. That no part of the money herein or hereafter appropriated for the Department of Agriculture shall be paid to any person, as additional salary or compensation, receiving at the same time other compensation as an officer or employee of the Government; * * * [23 Stat. L. 356.]

Agricultural appropriation act of March 3, 1885, ch. 338.

SEC. 1760. No money shall be paid from the Treasury to any person acting or assuming to act as an officer, civil, military, or naval, as salary, in any office when the office is not authorized by some previously existing law, unless such office is subsequently sanctioned by law. [R. S.]

No salary to be paid for unauthorized office.

SEC. 1761. No money shall be paid from the Treasury, as salary, to any person appointed during the recess of the Senate, to fill a vacancy in any existing office, if the vacancy existed while the Senate was in session and was by law required to be filled by and with the advice and consent of the Senate, until such appointee has been confirmed by the Senate. [R. S.]

No salaries to certain appointees to fill vacancies during recess of Senate.

SEC. 1766. No money shall be paid to any person for his compensation who is in arrears to the United States, until he has accounted for and paid into the Treasury all sums for which he may be liable. In all cases where the pay or salary of any person is withheld in pursuance of this section, the accounting officers of the Treasury, if required to do so by the party, his agent or attorney, shall report forthwith to the Solicitor of the Treasury the balance due; and the Solicitor shall, within sixty days thereafter, order suit to be commenced against such delinquent and his sureties. [R. S.]

No compensation to be paid officer in arrears.

* * * That hereafter only actual travelling-expenses shall be allowed to any person holding employment or appointment under the United States, * * * and all allowances for mileages and transportation in excess of the amount actually paid, except as above excepted, are hereby declared illegal; and no credit shall be allowed to any of the disbursing-officers of the United States for payment or allowances in violation of this provision. [18 Stat. L. 452.]

Actual travelling expenses only allowed.

Act of March 3, 1875, ch. 133.

And hereafter the Secretary of Agriculture is authorized to purchase from appropriations made for traveling expenses for employees of the Department of Agriculture, mileage and mileage books, at commercial rates, in the manner in which such mileage or mileage books are usually purchased. [34 Stat. L. 1281.]

Purchase of mileage books authorized in the Department of Agriculture.

Agricultural appropriation act of March 4, 1907, ch. 2907.

SEC. 6. Hereafter, where the compensation of any person in the service of the United States is annual or monthly the following rules for division of time and computation of pay for services rendered are hereby established: Annual compensation shall be divided into twelve equal installments, one of which shall be the pay for each calendar month; and in making payments for a fractional part of a month one-thirtieth of one of such

Division and computation of annual salaries of Government employees.

installments, or of a monthly compensation, shall be the daily rate of pay. For the purpose of computing such compensation and for computing time for services rendered during a fractional part of a month in connection with annual or monthly compensation, each and every month shall be held to consist of thirty days, without regard to the actual number of days in any calendar month, thus excluding the thirty-first of any calendar month from the computation and treating February as if it actually had thirty days. Any person entering the service of the United States during a thirty-one day month and serving until the end thereof shall be entitled to pay for that month from the date of entry to the thirtieth day of said month, both days inclusive; and any person entering said service during the month of February and serving until the end thereof shall be entitled to one month's pay, less as many thirtieths thereof as there were days elapsed prior to date of entry: *Provided*, That for one day's unauthorized absence on the thirty-first day of any calendar month one day's pay shall be forfeited. [34 Stat. L. 763.]

Sundry civil appropriation act of June 30, 1906, ch. 3914.

A previous, similar, but less specific provision, contained in act of April 28, 1904, ch. 1762, 33 Stat. L. 513, is probably superseded by this section.

Expense of transporting remains of deceased employees. That hereafter the heads of Departments shall not authorize any expenditure in connection with transportation of remains of deceased employees, except when otherwise specifically provided by law. [30 Stat. L. 86.]

Act of June 7, 1897, ch. 3.

Departments, etc., to furnish data for Official Register. To enable the officer charged with the duty of preparing the Official Register of the United States to publish the same, the Secretary of the Senate, the Clerk of the House of Representatives, the head of each Executive Department of the Government, and the chief of each and every bureau, office, commission, or institution not embraced in an Executive Department, in connection with which salaries are paid from the Treasury of the United States, shall, on the first day of July in each year in which a new Congress is to assemble, cause to be filed with the Director of the Census a full and complete list of all officers, agents, clerks, and other employees of said Department, bureau, office, commission, or institution connected with the legislative, executive, or judicial service of the Government, or paid from the United States Treasury. * * *

Said lists shall exhibit the salary, compensation, and emoluments allowed to each of said officers, agents, clerks, and other employees, the State or country in which he was born, the State or Territory and Congressional district and county of which he is a resident and from which he was appointed to office, and where employed. [28 Stat. L. 618.]

Act of January 12, 1895, ch. 23.

SEC. 8. That no person habitually using intoxicating beverages to excess shall be appointed to, or retained in, any office, appointment, or employment to which the provisions of this act are applicable. [22 Stat. L. 406.]

Excessive use of intoxicating beverages a bar to official position.

Act of January 16, 1883, ch. 27.

SEC. 9. That whenever there are already two or more members of a family in the public service in the grades covered by this act, no other member of such family shall be eligible to appointment to any of said grades. [22 Stat. L. 406.]

Members of a family in public service limited.

Act of January 16, 1883, ch. 27.

That hereafter no employee of the Pinkerton Detective Agency, or similar agency, shall be employed in any Government service or by any officer of the District of Columbia. [27 Stat. L. 591.]

Employment of detective prohibited.

Sundry civil appropriation acts of March 3, 1893, ch. 208, and August 5, 1892, ch. 380, 27 Stat. L. 368.

* * * that no person in the public service is for that reason under any obligations to contribute to any political fund, or to render any political service, and that he will not be removed or otherwise prejudiced for refusing to do so. [22 Stat. L. 404.]

Persons in public service under no obligation to make political contributions.

Act of January 16, 1883, ch. 27.

* * * that no person in said service has any right to use his official authority or influence to coerce the political action of any person or body. [22 Stat. L. 404.]

No person in public service to influence political action.

Act of January 16, 1883, ch. 27.

SEC. 6. That all executive officers or employees of the United States not appointed by the President, with the advice and consent of the Senate, are prohibited from requesting, giving to, or receiving from, any other officer or employee of the Government, any money or property or other thing of value for political purposes; and any such officer or employee, who shall offend against the provisions of this section shall be at once discharged from the service of the United States; and he shall also be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding five hundred dollars. [19 Stat. L. 169.]

Officers and employees prohibited from requesting, etc., political contributions from other officers and employees.

Legislative, executive, and judicial appropriation act of August 15, 1876, ch. 287.

SEC. 11. That no Senator, or Representative, or Territorial Delegate of the Congress, or Senator, Representative, or Delegate elect, or any officer or employee of either of said houses, and no executive, judicial, military, or naval officer of the United States, and no clerk or employee of any department, branch or bureau of the execu-

Officers and employees not to solicit or receive political contributions.

tive, judicial, or military or naval service of the United States, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any officer, clerk, or employee of the United States, or any department, branch, or bureau thereof, or from any person receiving any salary or compensation from moneys derived from the Treasury of the United States. [22 Stat. L. 406.]

Act of January 16, 1883, ch. 27.

Political contributions not to be received in public offices.

SEC. 12. That no person shall, in any room or building occupied in the discharge of official duties by any officer or employee of the United States mentioned in this act, * * * solicit in any manner whatever, or receive any contribution of money or any other thing of value for any political purpose whatever. [22 Stat. L. 407.]

Act of January 16, 1883, ch. 27.

Immunity from official proscription for failure to make political contributions.

SEC. 13. No officer or employee of the United States mentioned in this act shall discharge, or promote, or degrade, or in [any?] manner change the official rank or compensation of any other officer or employee, or promise or threaten so to do, for giving or withholding or neglecting to make any contribution of money or other valuable thing for any political purpose. [22 Stat. L. 407.]

Act of January 16, 1883, ch. 27.

Giving money, etc., to officials for political purposes prohibited.

SEC. 14. That no officer, clerk, or other person in the service of the United States shall, directly or indirectly, give or hand over to any other officer, clerk, or person in the service of the United States, or to any Senator or Member of the House of Representatives, or Territorial Delegate, any money or other valuable thing on account of or to be applied to the promotion of any political object whatever. [22 Stat. L. 407.]

Act of January 16, 1883, ch. 27.

Penalty for violation of four foregoing sections.

SEC. 15. That any person who shall be guilty of violating any provision of the four foregoing sections shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding five thousand dollars, or by imprisonment for a term not exceeding three years, or by such fine and imprisonment both, in the discretion of the court. [22 Stat. L. 407.]

Act of January 16, 1883, ch. 27.

Prohibition upon taking consideration for procuring contracts, offices, etc.; punishment for violation.

SEC. 1781. Every member of Congress or any officer or agent of the Government who, directly or indirectly, takes, receives, or agrees to receive, any money, property, or other valuable consideration whatever, from any person for procuring, or aiding to procure, any contract, office, or place, from the Government or any Department

thereof, or from any officer of the United States, for any person whatever, or for giving any such contract, office, or place to any person whomsoever, and every person who, directly or indirectly, offers or agrees to give, or gives, or bestows any money, property, or other valuable consideration whatever, for the procuring or aiding to procure any such contract, office, or place, and every member of Congress who, directly or indirectly, takes, receives, or agrees to receive any money, property, or other valuable consideration whatever after his election as such member, for his attention to, services, action, vote, or decision on any question, matter, cause, or proceeding which may then be pending, or may by law or under the Constitution be brought before him in his official capacity, or in his place as such member of Congress, shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than two years and fined not more than ten thousand dollars. And any such contract or agreement may, at the option of the President, be declared absolutely null and void; and any member of Congress or officer convicted of a violation of this section, shall, moreover, be disqualified from holding any office of honor, profit, or trust under the Government of the United States. [R. S.]

SEC. 5451. Every person who promises, offers, or gives, or causes or procures to be promised, offered, or given, any money or other thing of value, or makes or tenders any contract, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, to any officer of the United States, or to any person acting for or on behalf of the United States in any official function, under or by authority of any department or office of the Government thereof, or to any officer or person acting for or on behalf of either House of Congress, or of any committee of either House, or both Houses thereof, with intent to influence his decision or action on any question, matter, cause, or proceeding which may at any time be pending, or which may by law be brought before him in his official capacity, or in his place of trust or profit, or with intent to influence him to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States, or to induce him to do or omit to do any act in violation of his lawful duty, shall be punished as prescribed in the preceding section. [R. S.]

Bribery of officers of the United States; punishment.

SEC. 1782. No Senator, Representative, or Delegate, after his election and during his continuance in office, and no head of a Department, or other officer or clerk in the employ of the Government, shall receive or agree to receive any compensation whatever, directly or indirectly, for any services rendered, or to be rendered, to any

Taking compensation in matters to which United States is a party, prohibited; punishment.

person, either by himself or another, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter or thing in which the United States is a party, or directly or indirectly interested, before any Department, court-martial, Bureau, officer, or any civil, military, or naval commission whatever. Every person offending against this section shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than two years, and fined not more than ten thousand dollars, and shall, moreover, by conviction therefor, be rendered forever thereafter incapable of holding any office of honor, trust, or profit under the Government of the United States. [R. S.]

Officer of the
United States
accepting
bribe; punish-
ment.

SEC. 5501. Every officer of the United States, and every person acting for or on behalf of the United States, in any official capacity under or by virtue of the authority of any department or office of the Government thereof; and every officer or person acting for or on behalf of either House of Congress, or of any committee of either House, or of both Houses thereof, who asks, accepts, or receives any money, or any contract, promise, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, with intent to have his decision or action on any question, matter, cause, or proceeding which may, at any time, be pending, or which may be by law brought before him in his official capacity, or in his place of trust or profit, influenced thereby, shall be punished as prescribed in the preceding section [R. S. sec. 5500]. [R. S.]

The punishment "prescribed in the preceding section," is "a fine not more than three times the amount asked, accepted, or received," and "imprisonment not more than three years."

Officer of the
United States
accepting
bribe; disquali-
fied for of-
fice.

SEC. 5502. Every member, officer, or person, convicted under the provisions of the * * * preceding [section], who holds any place of profit or trust, shall forfeit his office or place; and shall thereafter be forever disqualified from holding any office of honor, trust, or profit under the United States. [R. S.]

Prohibition
of contribu-
tions, presents,
etc., to supe-
riors.

SEC. 1784. No officer, clerk, or employé in the United States Government employ shall at any time solicit contributions from other officers, clerks, or employés in the Government service for a gift or present to those in a superior official position; nor shall any such officials or clerical superiors receive any gift or present offered or presented to them as a contribution from persons in Government employ receiving a less salary than themselves; nor shall any officer or clerk make any donation as a gift or present to any official superior. Every person who violates this section shall be summarily discharged from the Government employ. [R. S.]

SEC. 3. The appropriations herein made for the officers, clerks, and persons employed in the public service shall not be available for the compensation of any persons incapacitated otherwise than temporarily for performing such service, and the heads of Departments shall cause this provision to be enforced. [34 Stat. L. 993.]

No compensation to permanently incapacitated persons.

Legislative, executive, and judicial appropriation act of February 26, 1907, ch. 1635. Similar provisions were enacted in the act of 1899 and subsequent acts.

* * * The establishment of a civil pension roll or an honorable service roll, or the exemption of any of the officers, clerks, and persons in the public service from the existing laws respecting employment in such service, is hereby prohibited: * * * [30 Stat. L. 890.]

Civil pension roll prohibited.

Legislative, executive, and judicial appropriation act of February 24, 1899, ch. 187.

* * * That no recording clocks used for recording time of clerks or other employees shall be purchased for use in any of the Executive Departments at Washington, District of Columbia, except from moneys specifically appropriated therefor. [30 Stat. L. 655.]

Purchase of recording clocks forbidden except as specifically appropriated therefor.

Deficiency appropriation act of July 7, 1898, ch. 571.

No money appropriated by this Act shall be used for expense of repairing recording clocks used for recording time of clerks or other employees in any of the Executive Departments at Washington, nor shall there hereafter be used in any of the Executive Departments at Washington, any such recording clocks. [30 Stat. L. 864.]

Use of recording clocks forbidden.

Legislative, executive, and judicial appropriation act of February 24, 1899, ch. 187.

SEC. 7. * * * Hereafter it shall be the duty of the heads of the several Executive Departments, in the interest of the public service, to require of all clerks and other employees, of whatever grade or class, in their respective Departments, not less than seven hours of labor each day, except Sundays and days declared public holidays by law or Executive order: *Provided*, That the heads of the Departments may, by special order, stating the reason, further extend the hours of any clerk or employee in their Departments, respectively; but in case of an extension it shall be without additional compensation: * * * [30 Stat. L. 316.]

Hours of labor in Departments.

SEC. 7. * * * *Provided, further*, That the head of any Department may grant thirty days' annual leave with pay in any one year to each clerk or employee: *And provided further*, That where some member of the immediate family of a clerk or employee is afflicted with a contagious disease and requires the care and attendance of such employee, or where his or her presence in the

Annual and sick leave of clerks and employees.

Department would jeopardize the health of fellow-clerks, and in exceptional and meritorious cases, where a clerk or employee is personally ill, and where to limit the annual leave to thirty days in any one calendar year would work peculiar hardship, it may be extended, in the discretion of the head of the Department, with pay, not exceeding thirty days in any one case or in any one calendar year.

This section shall not be construed to mean that so long as a clerk or employee is borne upon the rolls of the Department in excess of the time herein provided for or granted that he or she shall be entitled to pay during the period of such excessive absence, but that the pay shall stop upon the expiration of the granted leave. * * * [30 Stat. L. 316.]

Legislative, executive, and judicial appropriation act of March 15, 1893, ch. 68, amending sec. 5 of the legislative, executive, and judicial appropriation act of March 3, 1893, ch. 211, 27 Stat. L. 715.

Sick leave
not a bar to
annual leave.

Nothing contained in section seven of the Act making appropriations for legislative, executive, and judicial expenses of the Government for the fiscal year eighteen hundred and ninety-nine, approved March fifteenth, eighteen hundred and ninety-eight, shall be construed to prevent the head of any Executive Department from granting thirty days' annual leave with pay in any one year to a clerk or employee, notwithstanding such clerk or employee may have had during such year not exceeding thirty days' leave with pay on account of sickness as provided in said section seven. [30 Stat. L. 653.]

Deficiency appropriation act of July 7, 1898, ch. 571.

Annual leave
exclusive of
Sundays and
holidays.

SEC. 4. * * * That the thirty days' annual leave of absence with pay in any one year to clerks and employees in the several Executive Departments authorized by existing law shall be exclusive of Sundays and legal holidays. [30 Stat. L. 890.]

Legislative, executive, and judicial appropriation act of February 24, 1899, ch. 187.

Leave with-
out pay.

SEC. 4. * * * all absence from the departments on the part of said clerks or other employees, in excess of such leave of absence as may be granted by the heads thereof, which shall not exceed thirty days in any one year, except in case of sickness, shall be without pay. [22 Stat. L. 563.]

Legislative, executive, and judicial appropriation act of March 3, 1883, ch. 128.

Legal holi-
days in the
District of Co-
lumbia.

SEC. 993. The following days, namely: The first day of January, commonly called New-Year's day; the fourth day of July; the twenty-fifth day of December, commonly called Christmas day; the twenty-second day of Febru-

ary; that day upon which the President of the United States is inaugurated, otherwise called Inauguration Day, the thirtieth day of May in each year, usually called "Decoration Day," and any day appointed or recommended by the President of the United States as a day of public fast or thanksgiving, shall be holidays within the District, * * * [R. S. D. C.]

Section 993 of the Revised Statutes of the United States relating to the District of Columbia, as amended January 31, 1879, 20 Stat. L. 277; June 18, 1888, 25 Stat. L. 185; August 1, 1888, 25 Stat. L. 353.

That the first Monday of September in each year, being the day celebrated and known as Labor's Holiday, is hereby made a legal public holiday, to all intents and purposes, in the same manner as Christmas, the first day of January, the twenty-second day of February, the thirtieth day of May, and the fourth day of July are now made by law public holidays. [28 Stat. L. 96.]

Act of June 28, 1894, ch. 118.

That whenever any day set apart as a legal holiday within the District of Columbia shall fall on the first day of the week, commonly called Sunday, then and in such event the day next succeeding shall be a holiday within the District of Columbia. * * * [22 Stat. L. 1.]

Act of December 20, 1881, ch. 2.

That all per diem employees of the Government, on duty at Washington or elsewhere in the United States, shall be allowed the day of each year, which is celebrated as "Memorial" or "Decoration Day" and the fourth of July of each year, as holiday, and shall receive the same pay as on other days. [24 Stat. L. 644.]

Resolution of February 23, 1887, No. 6.

That the employees of the Navy Yard, Government Printing Office, Bureau of Printing and Engraving, and all other per diem employees of the Government on duty at Washington, or elsewhere in the United States, shall be allowed the following holidays, to wit: The first day of January, the twenty-second day of February, the fourth day of July, the twenty-fifth day of December, and such days as may be designated by the President as days for national thanksgiving, and shall receive the same pay as on other days. [23 Stat. L. 516.]

Resolution of January 6, 1885, No. 5.

And hereafter the Secretary of Agriculture is hereby authorized to make such appointments, promotions, and changes in salaries, to be paid out of the lump funds of the several bureaus, divisions, and offices of the Department of Agriculture.

ment as may be for the best interests of the service:
* * * [34 Stat. L. 1280.]

Agricultural appropriation act of March 4, 1907, ch. 2907.
Similar provisions were enacted in the acts of June 30, 1906, ch. 3913, 34 Stat. L. 695; March 3, 1905, ch. 1405, 33 Stat. L. 883.

Maximum salary of scientific investigator in Department of Agriculture. * * * *Provided*, That the maximum salary of any classified scientific investigator in the city of Washington, or other employee engaged in scientific work, shall not exceed three thousand five hundred dollars per annum.
[34 Stat. L. 1280.]

Agricultural appropriation act of March 4, 1907, ch. 2907.
The same provision occurs in the acts of June 30, 1906, ch. 3913, 34 Stat. L. 695; March 3, 1905, ch. 1405, 33 Stat. L. 883.

Salaries to be paid only from roll of bureau, etc., in which employee is working; details from and to office of Secretary of Agriculture. * * * And the Secretary of Agriculture is hereby authorized and directed to pay the salary of each employee from the roll of the bureau, independent division, or office in which the employee is working, and no other: *Provided, however*, That details may be made from or to the office of the Secretary when necessary and the services of the person whom it is proposed to detail are not required in that office; and he is further authorized and directed to submit to Congress each year a statement covering all appointments, promotions, or other changes made in the salaries paid from lump funds, giving in each case the title, salary, and amount of such change or changes, together with reasons therefor. [34 Stat. L. 1280.]

Annual statement of changes in salaries from lump funds in Department of Agriculture.

Agricultural appropriation act of March 4, 1907, ch. 2907.
The same provision occurs in the acts of June 30, 1906, ch. 3913, 34 Stat. L. 695; March 3, 1905, ch. 1405, 33 Stat. L. 883.

Clerks and employees to serve three years in one Department before transfer to another.

SEC. 5. It shall not be lawful hereafter for any clerk or other employee in the classified service in any of the Executive Departments to be transferred from one Department to another Department until such clerk or other employee shall have served for a term of three years in the Department from which he desires to be transferred. [34 Stat. L. 449.]

Legislative, executive, and judicial appropriation act of June 22, 1906, ch. 3514.

Details of civil employees to Departments from outside District of Columbia restricted.

SEC. 6. Hereafter it shall be unlawful to detail civil officers, clerks, or other subordinate employees who are authorized or employed under or paid from appropriations made for the military or naval establishments, or any other branch of the public service outside of the District of Columbia, except those officers and employees whose details are now specially provided by law, for duty in any bureau, office, or other division of any Executive Department in the District of Columbia, except tem-

porary details for duty connected with their respective offices. [34 Stat. L. 449.]

Legislative, executive, and judicial appropriation act of June 22, 1906, ch. 3514.

* * * That no detail of clerks or other employees from the Executive Departments or other Government establishments in Washington, District of Columbia, to the Civil Service Commission, for the performance of duty in the District of Columbia, shall be made for or during the fiscal year nineteen hundred and eight. [34 Stat. L. 948.]

Legislative, executive, and judicial appropriation act of February 26, 1907, ch. 1635.

* * * That employees of the Executive Departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States, for such temporary assistance as may be necessary. [34 Stat. L. 947.]

Legislative, executive, and judicial appropriation act of February 26, 1907, ch. 1635. This provision also appears in acts of previous years; see 34 Stat. L. 401; 33 Stat. L. 642.

SEC. 2. That section seventeen hundred and fifty-six of the Revised Statutes be, and the same is hereby, repealed; and hereafter the oath to be taken by any person elected or appointed to any office of honor or profit either in the civil, military, or naval service, except the President of the United States, shall be as prescribed in section seventeen hundred and fifty-seven of the Revised Statutes. But this repeal shall not affect the oaths prescribed by existing statutes in relation to the performance of duties in special or particular sub-ordinate offices and employments. [23 Stat. L. 22.]

Act of May 13, 1884, ch. 46.

SEC. 1757. Whenever any person who is not rendered ineligible to office by the provisions of the fourteenth amendment to the Constitution is elected or appointed to any office of honor or trust under the Government of the United States, and is not able, on account of his participation in the late rebellion, to take the oath prescribed in the preceding section, he shall, before entering upon the duties of his office, take and subscribe in lieu of that oath the following oath: "I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reserva-

tion or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God." [R. S.]

Who may administer official oath.

SEC. 1758. The oath of office required by either of the * * * preceding sections may be taken before any officer who is authorized either by the laws of the United States, or by the local municipal law, to administer oaths, in the State, Territory, or District where such oath may be administered. [R. S.]

No Department officer to charge fee for oath of office to employees.

* * * And no officer, clerk, or employee of any executive department who is also a notary public or other officer authorized to administer oaths, shall charge or receive any fee or compensation for administering oaths of office to employees of such department required to be taken on appointment or promotion therein. [26 Stat. L. 371.]

Act of August 29, 1890, ch. 820.

Chief clerks to administer oaths of office.

And the Chief Clerks of the several Executive Departments and of the various bureaus and offices thereof in Washington, District of Columbia, are hereby authorized and directed, on application and without compensation therefor, to administer oaths of office to employees required to be taken on their appointment or promotion. [26 Stat. L. 371.]

Act of August 29, 1890, ch. 820.

Oaths of employees to be delivered to Department.

SEC. 1759. The oath of office taken by any person pursuant to the requirements of section * * * seventeen hundred and fifty-seven, shall be delivered in by him to be preserved among the files of the House of Congress, Department, or court to which the office in respect to which the oath is made may appertain. [R. S.]

Officers, etc., investigating frauds, authorized to administer oaths.

SEC. 183. Any officer or clerk of any of the departments lawfully detailed to investigate frauds on, or attempts to defraud, the Government, or any irregularity or misconduct of any officer or agent of the United States, * * * shall have authority to administer an oath to any witness attending to testify or depose in the course of such investigation. [R. S.]

As amended by the act of March 2, 1901, ch. 809, 31 Stat. L. 951.

Officers approving official bonds to examine them every two years.

Hereafter every officer required by law to take and approve official bonds shall cause the same to be examined at least once every two years for the purpose of ascertaining the sufficiency of the sureties thereon; and every officer having power to fix the amount of an official bond shall examine it to ascertain the sufficiency of the amount

thereof and approve or fix said amount at least once in two years and as much oftener as he may deem it necessary. [28 Stat. L. 807.]

Legislative, executive, and judicial appropriation act of March 2, 1895, ch. 177.

Hereafter every officer whose duty it is to take and approve official bonds shall cause all such bonds to be renewed every four years after their dates, but he may require such bonds to be renewed or strengthened oftener if he deems such action necessary. In the discretion of such officer the requirement of a new bond may be waived for the period of service of a bonded officer after the expiration of a four-year term of service pending the appointment and qualification of his successor: *Provided*, That the nonperformance of any requirement of this section on the part of any official of the Government shall not be held to affect in any respect the liability of principal or sureties on any bond made or to be made to the United States: *Provided, further*, That the liability of the principal and sureties on all official bonds shall continue and cover the period of service ensuing until the appointment and qualification of the successor of the principal: * * *

Official bonds to be renewed every four years.

Liability of principal and surety continues until qualification of successor.

[28 Stat. L. 808.]

Legislative, executive, and judicial appropriation act of March 2, 1895, ch. 177.

That whenever any recognizance, stipulation, bond, or undertaking conditioned for the faithful performance of any duty, or for doing or refraining from doing anything in such recognizance, stipulation, bond, or undertaking specified, is by the laws of the United States required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by a corporation incorporated under the laws of the United States, or of any State having power to guarantee the fidelity of persons holding positions of public or private trust, and to execute and guarantee bonds and undertakings in judicial proceedings: *Provided*, That such recognizance, stipulation, bond, or undertaking be approved by the head of department, court, judge, officer, board, or body executive, legislative, or judicial required to approve or accept the same. But no officer or person having the approval of any bond shall exact that it shall be furnished by a guarantee company or by any particular guarantee company. [28 Stat. L. 279.]

Security companies accepted as surety on bonds.

Act of August 13, 1894, ch. 282.

Sec. 5481. Every officer, clerk, agent, or employee of the United States, and every person representing himself to be or assuming to act as such officer, clerk, agent, or

Extortion by officer or employee of United States; penalty.

employee, who is guilty of extortion, under color of his office, clerkship, agency, or employment, or under color of his pretended or assumed office, clerkship, agency, or employment, and every person who shall attempt any act which if performed would make him guilty of such extortion, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or by both such fine and imprisonment, except those officers or agents of the United States otherwise differently and specially provided for in the subsequent sections of this chapter. [R. S.]

As amended by act of June 23, 1906, ch. 3574, 34 Stat. L. 546.

Persons pre-
tending to act
under author-
ity of United
States; pen-
alty.

That every person who, with intent to defraud either the United States or any person, falsely assumes or pretends to be an officer or employee acting under the authority of the United States, or any Department, or any officer of the Government thereof, and who shall take upon himself to act as such, or who shall in such pretended character demand or obtain from any person or from the United States, or any Department, or any officer of the Government thereof, any money, paper, document, or other valuable thing, shall be deemed guilty of felony, and shall, on conviction thereof, be punished by a fine of not more than one thousand dollars, or imprisonment not longer than three years, or both said punishments, in the discretion of the court. [23 Stat. L. 11.]

Act of April 18, 1884, ch. 26.

Patents
granted to off-
icers of United
States without
fee.

The Secretary of the Interior and the Commissioner of Patents are authorized to grant any officer of the government, except officers and employees of the Patent Office, a patent for any invention of the classes mentioned in section forty eight hundred and eighty six of the Revised Statutes, when such invention is used or to be used in the public service, without the payment of any fee: *Provided*, That the applicant in his application shall state that the invention described therein, if patented, may be used by the government or any of its officers or employees in the prosecution of work for the government, or by any other person in the United States, without the payment to him of any royalty thereon, which stipulation shall be included in the patent. [22 Stat. L. 625.]

Use to be free
to public.

Sundry civil appropriation act of March 3, 1883, ch. 143.

Requests of
Departments
for expedition
of considera-
tion of appli-
cation for pat-
ent.

SEC. 7. That in every case where the head of any Department of the Government shall request the Commissioner of Patents to expedite the consideration of an application for a patent it shall be the duty of such head of a Department to be represented before the Commissioner in order to prevent the improper issue of a patent. [29 Stat. L. 694.]

Act of March 3, 1897, ch. 391.

SEC. 5498. Every officer of the United States, or person holding any place of trust or profit, or discharging any official function under, or in connection with, any Executive Department of the Government of the United States, * * * who acts as an agent or attorney for prosecuting any claim against the United States, or in any manner, or by any means, otherwise than in discharge of his proper official duties, aids or assists in the prosecution or support of any such claim, or receives any gratuity, or any share of or interest in any claim from any claimant against the United States, with intent to aid or assist, or in consideration of having aided or assisted, in the prosecution of such claim, shall pay a fine of not more than five thousand dollars, or suffer imprisonment not more than one year, or both. [R. S.]

Officers, etc., of the United States aiding in prosecution of claims; penalty.

SEC. 190. It shall not be lawful for any person appointed after the first day of June, one thousand eight hundred and seventy-two, as an officer, clerk, or employé in any of the Departments, to act as counsel, attorney, or agent for prosecuting any claim against the United States which was pending in either of said Departments while he was such officer, clerk, or employé, nor in any manner, nor by any means, to aid in the prosecution of any such claim, within two years next after he shall have ceased to be such officer, clerk, or employé. [R. S.]

Persons formerly in the Departments not to prosecute claims in them.

ESTIMATES, REPORTS, AND APPROPRIATIONS.

SEC. 3669. All annual estimates for the public service shall be submitted to Congress through the Secretary of the Treasury, and shall be included in the book of estimates prepared under his direction. [R. S.]

Annual estimates to be submitted to Congress through the Secretary of the Treasury.

* * * And hereafter all estimates of appropriations and estimates of deficiencies in appropriations intended for the consideration and seeking the action of any of the committees of Congress shall be transmitted to Congress through the Secretary of the Treasury, and in no other manner; * * * [23 Stat. L. 254.]

Estimates to be transmitted to Congress through Secretary of the Treasury.

Deficiency appropriation act of July 7, 1884, ch. 334.

SEC. 5. That hereafter it shall be the duty of the heads of the several Executive Departments, and of other officers authorized or required to make estimates, to furnish to the Secretary of the Treasury, on or before the fifteenth day of October of each year, their annual estimates for the public service, to be included in the Book of Estimates to be prepared by law under his direction, and in case of failure to furnish estimates as herein required it shall be the duty of the Secretary of the Treasury to cause to be prepared in the Treasury Department, on or

Departmental estimates to be furnished for Book of Estimates annually.

before the first day of November of each year, estimates for such appropriations as in his judgment shall be requisite in every such case, which estimates shall be included in the Book of Estimates prepared by law under his direction for the consideration of Congress. [31 Stat. L. 1009.]

SEC. 6. That all laws or parts of laws inconsistent with this Act are repealed. [31 Stat. L. 1009.]

Legislative, executive, and judicial appropriation act of March 3, 1901, ch. 830.

Additional estimates and statements of expenditures required of Department of Agriculture. That hereafter on or before the first day of January of each year the Secretary of Agriculture shall submit to Congress, in addition to the estimates now required by law, classified and detailed estimates of every subject of expenditure intended for the Agricultural Department for the next fiscal year, and detailed reports of all expenditures under any appropriation for such service during the preceding fiscal year. [34 Stat. L. 1282.]

Agricultural appropriation act of March 4, 1907, ch. 2907.

Manner of communicating departmental estimates. SEC. 3660. The heads of Departments, in communicating estimates of expenditures and appropriations to Congress, or to any of the committees thereof, shall specify, as nearly as may be convenient, the sources from which such estimates are derived, and the calculations upon which they are founded, and shall discriminate between such estimates as are conjectural in their character and such as are framed upon actual information and applications from disbursing officers. They shall also give references to any law or treaty by which the proposed expenditures are, respectively, authorized, specifying the date of each, and the volume and page of the Statutes at Large, or of the Revised Statutes, as the case may be, and the section of the act in which the authority is to be found. [R. S.]

Annual estimates to include estimates for printing and binding. SEC. 3661. The head of each of the Executive Departments, and every other public officer who is authorized to have printing and binding done at the Congressional Printing-Office for the use of his Department or public office, shall include in his annual estimate for appropriations for the next fiscal year such sum or sums as may to him seem necessary "for printing and binding, to be executed under the direction of the Congressional Printer." [R. S.]

Annual estimates for all printing and binding required by Departments. SEC. 2. Hereafter there shall be submitted in the regular annual estimates to Congress under and as a part of the expenses for "Printing and binding," estimates for all printing and binding required by each of the Executive Departments, their bureaus and offices, and other Govern-

ment establishments at Washington, District of Columbia, for each fiscal year; and after the fiscal year nineteen hundred and seven no appropriations other than those made specifically and solely for printing and binding shall be used for such purposes in any Executive Department or other Government establishment in the District of Columbia: *Provided*, That nothing in this section shall apply to stamped envelopes, or envelopes and articles of stationery other than letter heads and note heads, printed in the course of manufacture. [34 Stat. L. 762.]

Printing and binding restricted to appropriation for such purposes.

Envelopes, stationery, etc., excepted.

Sundry civil appropriation act of June 30, 1906, ch. 3914.

* * * And it shall be the duty of the Public Printer to submit to Congress at the beginning of its next regular session, estimates in detail under the heading of Printing and binding for the service of the fiscal year eighteen hundred and ninety-seven and annually thereafter, covering appropriations requisite for all work to be done and services to be rendered under his direction by the provisions of the said Act and not previously required of him; and of the details of all such estimates, he shall notify the heads of the Executive Departments and other Government establishments affected thereby, within such time as will enable them to omit the amounts thereof from the estimates of appropriations which they are required to submit for the fiscal year eighteen hundred and ninety-seven. [28 Stat. L. 961.]

Departments to be notified of estimates for printing and binding.

Sundry civil appropriation act of March 2, 1895, ch. 189.

SEC. 3662. All estimates for the compensation of officers authorized by law to be employed shall be founded upon the express provisions of law, and not upon the authority of executive distribution. [R. S.]

Estimates for salaries to be founded upon express law.

SEC. 3663. Whenever any estimate submitted to Congress by the head of a Department asks an appropriation for any new specific expenditure, such as the erection of a public building, or the construction of any public work, requiring a plan before the building or work can be properly completed, such estimate shall be accompanied by full plans and detailed estimates of the cost of the whole work. All subsequent estimates for any such work shall state the original estimated cost, the aggregate amount theretofore appropriated for the same, and the amount actually expended thereupon, as well as the amount asked for the current year for which such estimate is made. And if the amount asked is in excess of the original estimate, the full reasons for the excess, and the extent of the anticipated excess, shall be also stated. [R. S.]

Requisites for estimates for public works.

SEC. 3664. Whenever the head of a Department, being about to submit to Congress the annual estimates of expenditures required for the coming year, finds that the

What additional explanations are required in estimates.

usual items of such estimates vary materially in amount from the appropriation ordinarily asked for the object named, and especially from the appropriation granted for the same objects for the preceding year, and whenever new items not theretofore usual are introduced into such estimates for any year, he shall accompany the estimates by minute and full explanations of all such variations and new items, showing the reasons and grounds upon which the amounts are required, and the different items added. [R. S.]

Amount of outstanding appropriations to be designated in estimates.

SEC. 3665. The head of each Department, in submitting to Congress his estimates of expenditures required in his Department during the year then approaching, shall designate not only the amount required to be appropriated for the next fiscal year, but also the amount of the outstanding appropriation, if there be any, which will probably be required for each particular item of expenditure. [R. S.]

Estimates to follow order and arrangement of preceding year's appropriation acts.

SEC. 4. Hereafter the estimates for expenses of the Government, except those for sundry civil expenses, shall be prepared and submitted each year according to the order and arrangement of the appropriation Acts for the year preceding. And any changes in such order and arrangement, and transfers of salaries from one office or bureau to another office or bureau, or the consolidation of offices or bureaus desired by the head of any Executive Department may be submitted by note in the estimates. The committees of Congress in reporting general appropriation bills shall, as far as may be practicable, follow the general order and arrangement of the respective appropriation Acts for the year preceding. [34 Stat. L. 448.]

Legislative, executive, and judicial appropriation act of June 22, 1906, ch. 3514.

Estimates of Department of Agriculture to follow order and arrangement of preceding year's appropriation act.

* * * That hereafter the estimates of appropriations for the Department of Agriculture shall be prepared and submitted each year according to the order and arrangement of the Act for the year preceding; and any changes in such order or arrangement desired by the Secretary of Agriculture may be submitted by note in the estimates. [32 Stat. L. 303.]

Agricultural appropriation act of June 3, 1902, ch. 985.

Statement of clerks employed in Department of Agriculture to be included in Book of Estimates.

It shall be the duty of the Secretary of Agriculture to submit, in the Book of Estimates for the fiscal year nineteen hundred and four, and annually thereafter, immediately following estimates of each of the respective offices, bureaus and divisions of the Department of Agriculture a statement showing in detail the number of clerks who were employed in the District of Columbia upon regular and continuous work for thirty days or more during the previous fiscal year in or under such offices, bureaus or

divisions under authority of and paid from general appropriations, indicating in the case of every such employment the rate of compensation received and the appropriation from which paid. [32 Stat. L. 303.]

Agricultural appropriation act of June 3, 1902, ch. 985.

Hereafter the heads of the several Executive Departments and all other officers authorized or required to make estimates for the public service shall include in their annual estimates furnished the Secretary of the Treasury for inclusion in the Book of Estimates all estimates of appropriations required for the service of the fiscal year for which they are prepared and submitted, and special or additional estimates for that fiscal year shall only be submitted to carry out laws subsequently enacted, or when deemed imperatively necessary for the public service by the Department in which they shall originate, in which case such special or additional estimate shall be accompanied by a full statement of its imperative necessity and reasons for its omission in the annual estimates. [34 Stat. L. 448.]

All estimates to be included in Book of Estimates.

Restriction on special estimates.

Legislative, executive, and judicial appropriation act of June 22, 1906, ch. 3514.

SEC. 7. It shall be the duty of the head of each Executive Department or other Government establishment in the city of Washington to submit to the first regular session of the Fifty-fourth Congress, and annually thereafter, in the Annual Book of Estimates, a statement as to the condition of business in his Department or other Government establishment, showing whether any part of the same is in arrears, and, if so, in what divisions of the respective bureaus and offices of his Department or other Government establishment such arrears exist, the extent thereof, and the reasons therefor, and also a statement of the number and compensation of employees appropriated for in one bureau or office who have been detailed to another bureau or office for a period exceeding one year. [28 Stat. L. 808.]

Statement of condition of business to be submitted in Book of Estimates.

Legislative, executive, and judicial appropriation act of March 2, 1895, ch. 177.

SEC. 2. * * * That hereafter it shall be the duty of the heads of the several executive Departments of the Government to report to congress each year in the annual estimates the number of employees in each bureau and office and the salaries of each who are below a fair standard of efficiency. [26 Stat. L. 268.]

Annual reports of number and salaries of inefficient employees.

Legislative, executive, and judicial appropriation act of July 11, 1890, ch. 667.

SEC. 193. The head of each Department shall make an annual report to Congress, giving a detailed statement of the manner in which the contingent fund for his Department

Annual report of expenditures of contingent funds required.

ment, and for the Bureaus and offices therein, has been expended, giving the names of every person to whom any portion thereof has been paid; and if for anything furnished, the quantity and price; and if for any service rendered, the nature of such service, and the time employed, and the particular occasion or cause, in brief, that rendered such service necessary; and the amount of all former appropriations in each case on hand, either in the Treasury or in the hands of any disbursing officer or agent. And he shall require of the disbursing officers, acting under his direction and authority, the return of precise and analytical statements and receipts for all the moneys which may have been from time to time during the next preceding year expended by them, and shall communicate the results of such returns and the sums total, annually, to Congress. [R. S.]

Detailed statement of expenditure from contingent fund required.

* * * And hereafter a detailed statement of the expenditure for the preceding fiscal year of all sums appropriated for contingent expenses of the Independent Treasury, or in any department or bureau of the Government shall be presented to Congress at the beginning of each regular session. [19 Stat. L. 306.]

Legislative, executive, and judicial appropriation act of March 3, 1877, ch. 102.

Detailed statement of expenditure of all appropriations of Department of Agriculture required.

* * * and in addition to the proper vouchers and accounts for the sums appropriated for the said Department to be furnished to the accounting officers of the Treasury, the Commissioner of Agriculture shall, at the commencement of each regular session, present to Congress a detailed statement of the expenditure of all appropriations for said Department for the last preceding fiscal year. [23 Stat. L. 356.]

Agricultural appropriation act of March 3, 1885, ch. 338.

Statement of number and rental of buildings to be included in annual estimates.

* * * it shall be the duty of the heads of the several executive departments to submit to Congress each year, in the annual estimates of appropriations, a statement of the number of buildings rented by their respective departments, the purposes for which rented, and the annual rental of each. [22 Stat. L. 552.]

Legislative, executive, and judicial appropriation act of March 3, 1883, ch. 128.

Time of making annual reports.

SEC. 195. Except where a different time is expressly prescribed by law, the various annual reports required to be submitted to Congress by the heads of Departments shall be made at the commencement of each regular session, and shall embrace the transactions of the preceding year. [R. S.]

Department reports, when to be furnished to printer.

SEC. 196. The head of each Department, * * * shall furnish to the Congressional Printer copies of the documents usually accompanying his annual report, on

or before the first day of November in each year, and a copy of his annual report on or before the third Monday of November in each year. [R. S.]

SEC. 3672. A detailed statement of the proceeds of all sales of old material, condemned stores, supplies, or other public property of any kind except materials, stores, or supplies sold * * * to exploring or surveying expeditions authorized by law shall be included in the appendix to the book of estimates. [R. S.]

Statement of proceeds of sales of old material to be included in estimates.

SEC. 3678. All sums appropriated for the various branches of expenditure in the public service shall be applied solely to the objects for which they are respectively made, and for no others. [R. S.]

Appropriations to be applied solely to the objects for which made.

Hereafter no Act of Congress shall be construed to make an appropriation out of the Treasury of the United States unless such Act shall, in specific terms, declare an appropriation to be made for the purpose or purposes specified in the Act. [32 Stat. L. 560.]

No act to be construed to make an appropriation unless specifically so declared.

Deficiency appropriation act of July 1, 1902, ch. 1351.

SEC. 9. No Act of Congress hereafter passed shall be construed to make an appropriation out of the Treasury of the United States, or to authorize the execution of a contract involving the payment of money in excess of appropriations made by law, unless such Act shall in specific terms declare an appropriation to be made or that a contract may be executed. [34 Stat. L. 764.]

No act to be construed to make an appropriation or authorize contract in excess of appropriations unless specifically so declared.

Sundry civil appropriation act of June 30, 1906, ch. 3914.

SEC. 3679. No Executive Department or other Government establishment of the United States shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations unless such contract or obligation is authorized by law. Nor shall any Department or any officer of the Government accept voluntary service for the Government or employ personal service in excess of that authorized by law, except in cases of sudden emergency involving the loss of human life or the destruction of property. All appropriations made for contingent expenses or other general purposes, except appropriations made in fulfillment of contract obligations expressly authorized by law, or for objects required or authorized by law without reference to the amounts annually appropriated therefor, shall, on or before the beginning of each fiscal year, be so apportioned by monthly or other allotments as to prevent expenditures in one portion of the year which may necessitate deficiency or additional appropriations to complete the service of

No expenditures, contracts, etc., in excess of appropriations.

Acceptance of voluntary service or in excess of that authorized, forbidden.

Appropriations for contingent expenses for general purposes to be apportioned in monthly or other allotments.

the fiscal year for which said appropriations are made; and all such apportionments shall be adhered to and shall not be waived or modified except upon the happening of some extraordinary emergency or unusual circumstance which could not be anticipated at the time of making such apportionment, but this provision shall not apply to the contingent appropriations of the Senate or House of Representatives; and in case said apportionments are waived or modified as herein provided, the same shall be waived or modified in writing by the head of such Executive Department or other Government establishment having control of the expenditure, and the reasons therefor shall be fully set forth in each particular case and communicated to Congress in connection with estimates for any additional appropriations required on account thereof.

Any person violating any provision of this section shall be summarily removed from office and may also be punished by a fine of not less than one hundred dollars or by imprisonment for not less than one month. [R. S.]

Penalty for violation.

As amended by the deficiency appropriation acts of March 3, 1905, ch. 1484, 33 Stat. L. 1257, and February 27, 1906, ch. 510, 34 Stat. L. 48.

Sums appropriated for salaries to be in full.

SEC. 10. All sums appropriated by this Act for salaries of officers and employees of the Government shall be in full for such salaries for the fiscal year nineteen hundred and eight, and all laws or parts of laws in conflict with the provisions of this Act be, and the same are hereby, repealed. [34 Stat. L. 1371.]

Sundry civil appropriation act of March 4, 1907, ch. 2918. Similar provisions are contained in previous successive acts. See 34 Stat. L. 764; 33 Stat. L. 1214; 33 Stat. L. 513; 32 Stat. L. 1146; 32 Stat. L. 481; 31 Stat. L. 1188; 31 Stat. L. 644; 30 Stat. L. 1120; 30 Stat. L. 649; 30 Stat. L. 62; 29 Stat. L. 454; 28 Stat. L. 962.

No expenses of commissions and inquiries to be paid until appropriation is made therefor.

SEC. 3681. No accounting or disbursing officer of the Government shall allow or pay any account or charge, whatever, growing out of, or in any way connected with, any commission or inquiry, * * * until special appropriations shall have been made by law to pay such accounts and charges. * * * [R. S.]

Contingent, etc., appropriations not to be applied to clerical compensation.

SEC. 3682. No moneys appropriated for contingent, incidental, or miscellaneous purposes shall be expended or paid for official or clerical compensation. [R. S.]

Restriction on application of contingent appropriations to purchases.

SEC. 3683. No part of the contingent fund appropriated to any Department, Bureau, or office, shall be applied to the purchase of any articles except such as the head of the Department shall deem necessary and proper to carry on the business of the Department, Bureau, or office, and shall, by written order, direct to be procured. [R. S.]

Sec. 3. That hereafter law books, books of reference, and periodicals for use of any Executive Department, or other Government establishment not under an Executive Department, at the seat of Government, shall not be purchased, or paid for from any appropriation made for contingent expenses or for any specific or general purpose unless such purchase is authorized and payment therefor specifically provided in the law granting the appropriation. [30 Stat. L. 316.]

Books, periodicals, etc., to be purchased from specific appropriation only.

Legislative, executive, and judicial appropriation act of March 15, 1898, ch. 68.

Sec. 3690. All balances of appropriations contained in the annual appropriation bills and made specifically for the service of any fiscal year, and remaining unexpended at the expiration of such fiscal year, shall only be applied to the payment of expenses properly incurred during that year, or to the fulfillment of contracts properly made within that year; and balances not needed for such purposes shall be carried to the surplus fund. This section, however, shall not apply to appropriations known as permanent or indefinite appropriations. [R. S.]

Expenditure of balance of appropriations.

Sec. 3691. All balances of appropriations which shall have remained on the books of the Treasury, without being drawn against in the settlement of accounts, for two years from the date of the last appropriation made by law, shall be reported by the Secretary of the Treasury to the Auditor of the Treasury, whose duty it is to settle accounts thereunder, and the Auditor shall examine the books of his Office, and certify to the Secretary whether such balances will be required in the settlement of any accounts pending in his office; and if it appears that such balances will not be required for this purpose, then the Secretary may include such balances in his surplus-fund warrant, whether the head of the proper Department shall have certified that it may be carried into the general Treasury or not. * * * [R. S.]

Disposal of balance of appropriations after two years.

Sec. 5. That from and after the first day of July, eighteen hundred and seventy-four, and of each year thereafter, the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury: *Provided*, That this provision shall not apply to permanent specific appropriations, appropriations for * * * public buildings * * * ; but the appropriations named in this proviso shall continue available until otherwise ordered by Congress, * * * [18 Stat. L. 110.]

Unexpended balances of appropriations after two years to be covered into Treasury.

Exceptions.

Legislative, executive, and judicial appropriation act of June 20, 1874, ch. 328.

CONTRACTS.

Advertisements for proposals for supplies and services.

Procuring supplies in open market.

Time of advertising and opening proposals.

Submission of proposals to board for action.

Readvertisement on rejection of proposals.

Additional requirements as to advertisements for proposals limited to fuel, ice, stationery, etc., at Washington.

SEC. 3709. All purchases and contracts for supplies or services, in any of the Departments of the Government, except for personal services, shall be made by advertising a sufficient time previously for proposals respecting the same, when the public exigencies do not require the immediate delivery of the articles, or performance of the service. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract, at the places and in the manner in which such articles are usually bought and sold, or such services engaged, between individuals. And the advertisement for such proposals shall be made by all the Executive Departments * * * on the same days and shall each designate two o'clock post meridian of such days for the opening of all such proposals in each Department and other Government establishment in the city of Washington; and the Secretary of the Treasury shall designate the day or days in each year for the opening of such proposals and give due notice thereof to the other Departments and Government establishments. Such proposals shall be opened in the usual way and schedules thereof duly prepared and, together with the statement of the proposed action of each Department and Government establishment thereon, shall be submitted to a board, consisting of one of the Assistant Secretaries of the Treasury and Interior Departments and one of the Assistant Postmasters-General, who shall be designated by the heads of said Departments and the Postmaster-General, respectively, at a meeting to be called by the official of the Treasury Department, who shall be chairman thereof, and said board shall carefully examine and compare all the proposals so submitted and recommend the acceptance or rejection of any or all of said proposals. And if any or all of such proposals shall be rejected, advertisements for proposals shall again be invited and proceeded with in the same manner. [R. S.]

As amended by act of January 27, 1894, ch. 22, 28 Stat. L. 33.

SEC. 2. That the Act entitled "An Act to amend section thirty-seven hundred and nine of the Revised Statutes relating to contracts for supplies in the Departments at Washington," approved January twenty-seven, eighteen hundred and ninety-four, be, and the same is hereby, so amended that the provisions thereof shall apply only to advertisements for proposals for fuel, ice, stationery, and other miscellaneous supplies to be purchased at Washington for the use of the Executive Departments and other Government establishments therein named; and no advertisements made or contracts awarded or to be awarded thereon since January twenty-seven, eighteen hundred and ninety-four, in accordance with the laws in force

prior to said date, shall be declared to be illegal or invalid for non-compliance with said law of January twenty-seventh, eighteen hundred and ninety-four. [28 Sta. L. 62.]

Act of April 21, 1894, ch. 61.

That hereafter section thirty-seven hundred and nine of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered in the Department of Agriculture when the aggregate amount involved does not exceed the sum of fifty dollars. [30 Stat. L. 957.]

Purchases or services in Department of Agriculture.

Agricultural appropriation act of March 1, 1899, ch. 325.

SEC. 3710. Whenever proposals for supplies have been solicited, the parties responding to such solicitations shall be duly notified of the time and place of opening the bids, and be permitted to be present either in person or by attorney, and a record of each bid shall then and there be made. [R. S.]

Bidders to be notified of opening bids for Department supplies.

SEC. 3711. It shall not be lawful for any officer or person in the civil, military, or naval service of the United States in the District of Columbia to purchase anthracite or bituminous coal or wood for the public service except on condition that the same shall, before delivery, be inspected and weighed or measured by some competent person, to be appointed by the head of the Department or chief of the branch of the service for which the purchase is made from among the persons authorized to be employed in such Department or branch of the service. The person appointed under this section shall ascertain that each ton of coal weighed by him shall consist of two thousand two hundred and forty pounds, and that each cord of wood to be so measured shall be of the standard measure of one hundred and twenty-eight cubic feet. Each load or parcel of wood or coal weighed and measured by him shall be accompanied by his certificate of the number of tons or pounds of coal and the number of cords or parts of cords of wood in each load or parcel. [R. S.]

Weighing and measurement of fuel for Departments.

As amended by legislative, executive, and judicial appropriation acts of March 2, 1895, ch. 177, sec. 6, 23 Stat. L. 808, and March 15, 1898, ch. 68, sec. 6, 30 Stat. L. 316.

SEC. 3713. It shall not be lawful for any accounting officer to pass or allow to the credit of any disbursing officer in the District of Columbia any money paid by him for purchase of anthracite or bituminous coal or for wood, unless the voucher therefor is accompanied by a certificate of the proper inspector, weigher, and measurer that the quantity paid for has been determined by such officer. [R. S.]

No payment for fuel without certificate of quantity.

Publication
of advertise-
ments for con-
tracts, etc.

SEC. 3826. All advertisements, notices, and proposals for contracts for all the Executive Departments of the Government, and the laws passed by Congress and executive proclamations and treaties to be published in the District of Columbia, Maryland, and Virginia, shall hereafter be advertised by publication in the three daily papers published in the District of Columbia having the largest circulation, one of which shall be selected by the Clerk of the House of Representatives, and in no others. The charges for such publications shall not be higher than such as are paid by individuals for advertising in said papers, and the same publications shall be made in each of the said papers equally as to frequency: *Provided*, That no advertisement to any State, district, or Territory, other than the District of Columbia, Maryland, or Virginia, shall be published in the papers designated, unless at the direction first made of the proper head of a Department: *And provided further*, That this section shall not be construed to allow a greater compensation for the publication of the laws passed by Congress and executive proclamations and treaties in the papers of the District of Columbia than is provided by law for such publications in other papers. [R. S.]

No advertise-
ment without
authority.

SEC. 3828. No advertisement, notice, or proposal for any Executive Department of the Government, or for any Bureau thereof, or for any office therewith connected, shall be published in any newspaper whatever, except in pursuance of a written authority for such publication from the head of such Department; and no bill for any such advertising, or publication, shall be paid, unless there be presented, with such bill, a copy of such written authority. [R. S.]

No advertise-
ment for con-
tracts in Dis-
trict of Colum-
bia unless per-
formed in Dis-
trict.

* * * in no case of advertisement for contracts for the public service shall the same be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by such advertisement are to be furnished or performed in said District of Columbia. [19 Stat. L. 105.]

Sundry civil appropriation act of July 31, 1876, ch. 246.

Rates of pay-
ment for ad-
vertisements,
etc., for con-
tracts.

That hereafter all advertisements, notices, proposals for contracts, and all forms of advertising required by law for the several departments of the government may be paid for at a price not to exceed the commercial rates charged to private individuals, with the usual discounts; such rates to be ascertained from sworn statements to be furnished by the proprietors or publishers of the newspapers proposing so to advertise: * * * but the heads of the several departments may secure lower terms at special rates whenever the public interest requires it. [20 Stat. L. 216.]

Sundry civil appropriation act of June 20, 1878, ch. 359.

That all advertising required by existing laws to be done in the District of Columbia by any of the departments of the government shall be given to one daily and one weekly newspaper of each of the two principal political parties and to one daily and one weekly neutral newspaper: *Provided*, That the rates of compensation for such service shall in no case exceed the regular commercial rate of the newspapers selected; nor shall any advertisement be paid for unless published in accordance with section thirty-eight hundred and twenty-eight of the Revised Statutes. [21 Stat. L. 317.]

Act of January 21, 1881, ch. 25.

SEC. 25. That public cartage of merchandise in the custody of the Government shall be let after not less than thirty days' notice of such letting to the lowest responsible bidder giving sufficient security, and shall be subject to regulations approved by the Secretary of the Treasury.

Act of June 22, 1874, ch. 391.

SEC. 3735. It shall not be lawful for any of the Executive Departments to make contracts for stationery or other supplies for a longer term than one year from the time the contract is made. [R. S.]

SEC. 3733. No contract shall be entered into for the erection, repair, or furnishing of any public building, or for any public improvement which shall bind the Government to pay a larger sum of money than the amount in the Treasury appropriated for the specific purpose. [R. S.]

SEC. 5503. Every officer of the Government who knowingly contracts for the erection, repair, or furnishing of any public building, or for any public improvement, to pay a larger amount than the specific sum appropriated for such purpose, shall be punished by imprisonment not less than six months nor more than two years, and shall pay a fine of two thousand dollars. [R. S.]

SEC. 3732. No contract to purchase on behalf of the United States shall be made, unless the same is authorized by law or is under an appropriation adequate to its fulfillment, * * * [R. S.]

* * * That no contract or purchase on behalf of the United States shall be made, unless the same is authorized by law or is under an appropriation adequate to its fulfillment, * * * [34 Stat. L. 255.]

Act of June 12, 1906, ch. 3078.

No contract * * * hereafter no contract shall be made for the rent of any building, or part of any building, to be used for the purposes of the Government in the District of Columbia, until an appropriation therefor shall have been made in terms by Congress, and that this clause be regarded as notice to all contractors or lessors of any such building or any part of building. [19 Stat. L. 370.]

Deficiency appropriation act of March 3, 1877, ch. 108.

Contractors on public buildings, etc., to furnish penal bond for security of persons supplying labor and material. That hereafter any person or persons entering into a formal contract with the United States for the construction of any public building, or the prosecution and completion of any public work, or for repairs upon any public building or public work, shall be required, before commencing such work, to execute the usual penal bond, with good and sufficient sureties, with the additional obligation that such contractor or contractors shall promptly make payments to all persons supplying him or them with labor and materials in the prosecution of the work provided for in such contract; and any person, company, or corporation who has furnished labor or materials used in the construction or repair of any public building or public work, and payment for which has not been made, shall have the right to intervene and be made a party to any action instituted by the United States on the bond of the contractor, and to have their rights and claims adjudicated in such action and judgment rendered thereon, subject, however, to the priority of the claim and judgment of the United States. If the full amount of the liability of the surety on said bond is insufficient to pay the full amount of said claims and demands, then, after paying the full amount due the United States, the remainder shall be distributed pro rata among said interveners. If no suit should be brought by the United States within six months from the completion and final settlement of said contract, then the person or persons supplying the contractor with labor and materials shall, upon application therefor, and furnishing affidavit to the Department under the direction of which said work has been prosecuted that labor or materials for the prosecution of such work has been supplied by him or them, and payment for which has not been made, be furnished with a certified copy of said contract and bond, upon which he or they shall have a right of action, and shall be, and are hereby, authorized to bring suit in the name of the United States in the circuit court of the United States in the district in which said contract was to be performed and executed, irrespective of the amount in controversy in such suit, and not elsewhere, for his or their use and benefit, against said contractor and his sureties, and to prosecute the same to final judgment and execution: *Provided*, That where suit is instituted by any of such

creditors on the bond of the contractor it shall not be commenced until after the complete performance of said contract and final settlement thereof, and shall be commenced within one year after the performance and final settlement of said contract, and not later: *And provided further*, That where suit is so instituted by a creditor or by creditors, only one action shall be brought, and any creditor may file his claim in such action and be made party thereto within one year from the completion of the work under said contract, and not later. If the recovery on the bond should be inadequate to pay the amounts found due to all of said creditors, judgment shall be given to each creditor pro rata of the amount of the recovery. The surety on said bond may pay into court, for distribution among said claimants and creditors, the full amount of the sureties' liability, to wit, the penalty named in the bond, less any amount which said surety may have had to pay to the United States by reason of the execution of said bond, and upon so doing the surety will be relieved from further liability: *Provided further*, That in all suits instituted under the provisions of this Act such personal notice of the pendency of such suits, informing them of their right to intervene as the court may order, shall be given to all known creditors, and in addition thereto notice of publication in some newspaper of general circulation, published in the State or town where the contract is being performed, for at least three successive weeks, the last publication to be at least three months before the time limited therefor. [33 Stat. L. 812.]

Act of February 24, 1905, ch. 778, amending act of August 13, 1894, ch. 280, 28 Stat. L. 278.

SEC. 3738. Eight hours shall constitute a day's work for all laborers, workmen, and mechanics who may be employed by or on behalf of the Government of the United States. [R. S.]

Eight hours to constitute day's work for laborers, etc.

That the service and employment of all laborers and mechanics who are now or may hereafter be employed by the Government of the United States, by the District of Columbia, or by any contractor or subcontractor upon any of the public works of the United States or of the said District of Columbia, is hereby limited and restricted to eight hours in any one calendar day, and it shall be unlawful for any officer of the United States Government or of the District of Columbia or any such contractor or subcontractor whose duty it shall be to employ, direct, or control the services of such laborers or mechanics to require or permit any such laborer or mechanic to work more than eight hours in any calendar day except in case of extraordinary emergency. [27 Stat. L. 340.]

Hours of labor limited to eight for laborers and mechanics on Government work

Penalty for
violation by
officer or con-
tractor.

SEC. 2. That any officer or agent of the Government of the United States or of the District of Columbia, or any contractor or subcontractor whose duty it shall be to employ, direct, or control any laborer or mechanic employed upon any of the public works of the United States or of the District of Columbia who shall intentionally violate any provision of this act, shall be deemed guilty of a misdemeanor, and for each and every such offense shall upon conviction be punished by a fine not to exceed one thousand dollars or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court having jurisdiction thereof. [27 Stat. L. 340.]

Act of August 1, 1892, ch. 352.

No transfer
of Government
contracts.

SEC. 3737. No contract or order, or any interest therein, shall be transferred by the party to whom such contract or order is given to any other party, and any such transfer shall cause the annulment of the contract or order transferred, so far as the United States are concerned. All rights of action, however, for any breach of such contract by the contracting parties, are reserved to the United States. [R. S.]

Members of
Congress not
to be interested
in contracts.

SEC. 3739. No member of or Delegate to Congress shall directly or indirectly, himself, or by any other person in trust for him, or for his use or benefit, or on his account, undertake, execute, hold, or enjoy, in whole or in part, any contract or agreement made or entered into in behalf of the United States, by any officer or person authorized to make contracts on behalf of the United States. Every person who violates this section shall be deemed guilty of a misdemeanor, and shall be fined three thousand dollars. All contracts or agreements made in violation of this section shall be void; and whenever any sum of money is advanced on the part of the United States, in consideration of any such contract or agreement, it shall be forthwith repaid; and in case of refusal or delay to repay the same, when demanded, by the proper officer of the Department under whose authority such contract or agreement shall have been made or entered into, every person so refusing or delaying, together with his surety or sureties, shall be forthwith prosecuted at law for the recovery of any such sum of money so advanced. [R. S.]

What Inter-
est Members of
Congress may
have.

SEC. 3740. Nothing contained in the preceding section shall extend, or be construed to extend, to any contract or agreement, made or entered into, or accepted, by any incorporated company, where such contract or agreement is made for the general benefit of such incorporation or company; nor to the purchase or sale of bills of exchange or other property by any member of or delegate to Congress,

where the same are ready for delivery, and payment therefor is made, at the time of making or entering into the contract or agreement. [R. S.]

SEC. 3741. In every such contract or agreement to be made or entered into, or accepted by or on behalf of the United States, there shall be inserted an express condition that no member of or delegate to Congress shall be admitted to any share or part of such contract or agreement, or to any benefit to arise thereupon. [R. S.]

Stipulation in contract that no Member of Congress has an interest.

SEC. 3742. Every officer who, on behalf of the United States, directly or indirectly makes or enters into any contract, bargain, or agreement in writing or otherwise, other than such as are hereinbefore excepted, with any member of or delegate to Congress, shall be deemed guilty of a misdemeanor, and shall be fined three thousand dollars. [R. S.]

Penalty against officer for making contract with a Member of Congress.

SEC. 1783. No officer or agent of any banking or other commercial corporation, and no member of any mercantile or trading firm, or person directly or indirectly interested in the pecuniary profits or contracts of such corporation or firm, shall be employed or shall act as an officer or agent of the United States for the transaction of business with such corporation or firm; and every such officer, agent, or member, or person, so interested, who so acts, shall be imprisoned not more than two years, and fined not more than two thousand dollars nor less than five hundred dollars. [R. S.]

Persons interested in contracts not to act as agents of the Government.

SEC. 3743. All contracts to be made, by virtue of any law, and requiring the advance of money, or in any manner connected with the settlement of public accounts, shall be deposited promptly in the offices of the Auditors of the Treasury, according to the nature of the contracts: * * * [R. S.]

Contracts to be deposited in Treasury.

As amended by the legislative, executive, and judicial appropriation act of July 31, 1894, ch. 174, sec. 18, 28 Stat. L. 210.

PUBLIC MONEY AND PUBLIC PROPERTY.

SEC. 236. All claims and demands whatever by the United States or against them, and all accounts whatever in which the United States are concerned, either as debtors or as creditors, shall be settled and adjusted in the Department of the Treasury. [R. S.]

Public accounts to be settled in the Department of the Treasury.

SEC. 237. That the fiscal year of the Treasury of the United States in all matters of accounts, receipts, expenditures, estimates, and appropriations, * * * shall commence on the first day of July in each year; and all

Commencement of fiscal year.

accounts of receipts and expenditures required by law to be published annually shall be prepared and published for the fiscal year, as thus established. * * * [R. S.]

As amended by act of October 1, 1890, ch. 1256, sec. 9, 26 Stat. L. 646.

Bond of special disbursing agents.

SEC. 3614. Whenever it becomes necessary for the head of any Department or office to employ special agents, * * * who may be charged with the disbursement of public moneys, such agents shall, before entering upon duty, give bond in such form and with such security as the head of the Department or office employing them may approve. [R. S.]

Disbursing clerks; appointment; bond.

SEC. 176. The disbursing clerks authorized by law in the several Departments shall be appointed by the heads of the respective Departments, from clerks of the fourth class; and shall each give a bond to the United States for the faithful discharge of the duties of his office according to law in such amount as shall be directed by the Secretary of the Treasury, and with sureties to the satisfaction of the Solicitor of the Treasury; and shall from time to time renew, strengthen, and increase his official bond, as the Secretary of the Treasury may direct. Each disbursing clerk, except the disbursing clerk of the Treasury Department, must, when directed so to do by the head of the Department, superintend the building occupied by his Department. * * * [R. S.]

Disbursing officers may be directed to superintend buildings.

The last portion of this section is omitted as obsolete.

Collectors of public moneys to pay over.

SEC. 3615. All collectors and receivers of public money of every description, within the District of Columbia, shall, as often as they may be directed by the Secretary of the Treasury or the Postmaster-General so to do, pay over to the Treasurer of the United States, at the Treasury, all public moneys collected by them or in their hands. * * * [R. S.]

All persons having public money to pay.

SEC. 3616. All * * * other persons than those mentioned in the preceding section, having public money to pay to the United States, may pay the same to any depository constituted or in pursuance of law, which may be designated by the Secretary of the Treasury.

Money received by the United States.

SEC. 3617. All moneys received by the United States, shall be paid by the agent receiving the same, as soon as practicable, in account of salary, or of any description

SEC. 3619. Every officer or agent who neglects or refuses to comply with the provisions of section thirty-six hundred and seventeen shall be subject to be removed from office, and to forfeit to the United States any share or part of the moneys withheld, to which he might otherwise be entitled. [R. S.] Penalty for withholding money.

SEC. 3620. It shall be the duty of every disbursing officer having any public money intrusted to him for disbursement, to deposit the same with the Treasurer or some one of the assistant treasurers of the United States, and to draw for the same only as it may be required for payments to be made by him in pursuance of law and draw for the same only in favor of the persons to whom payment is made; and all transfers from the Treasurer of the United States to a disbursing officer shall be by draft or warrant on the Treasury or an assistant treasurer of the United States. In places, however, where there is no treasurer or assistant treasurer, the Secretary of the Treasury may, when he deems it essential to the public interest, specially authorize in writing the deposit of such public money in any other public depository, or, in writing, authorize the same to be kept in any other manner, and under such rules and regulations as he may deem most safe and effectual to facilitate the payments to public creditors. [R. S.] Disbursing officers required to deposit public moneys.

SEC. 3621. Every person who shall have moneys of the United States in his hands or possession, and disbursing officers having moneys in their possession not required for current expenditure, shall pay the same to the Treasurer, an Assistant Treasurer, or some public depository of the United States, without delay, and in all cases within thirty days of their receipt. And the Treasurer, the Assistant Treasurer, or the public depository shall issue duplicate receipts for the moneys so paid, transmitting forthwith the original to the Secretary of the Treasury, and delivering the duplicate to the depositor: * * * [R. S.] Custodians of public moneys to pay over.

As amended by the legislative, executive, and judicial appropriation act of May 28, 1896, ch. 252, sec. 5, 29 Stat. L. 179.

SEC. 3622. Every officer or agent of the United States who receives public money which he is not authorized to retain as salary, pay, or emolument, shall render his accounts monthly. Such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be sent by mail, or otherwise, to the Bureau to which they pertain, within ten days after the expiration of each successive month, and, after examination there, shall be passed to the proper accounting officer of the Treasury for settlement. * * * In case of the non-receipt at the Treasury or proper Bureau, of any accounts within a rea- Officers, etc., to account for public moneys.

sonable and proper time thereafter, the officer whose accounts are in default shall be required to furnish satisfactory evidence of having complied with the provisions of this section. Nothing herein contained shall, however, be construed to restrain the heads of any of the Departments from requiring such other returns or reports from the officer or agent, subject to the control of such heads of Departments, as the public interests may require. [R. S.]

As amended by legislative, executive, and judicial appropriation act of July 31, 1894, ch. 174, sec. 12, 28 Stat. L. 209.

Rendering accounts for settlement and administrative examination.

SEC. 12. All monthly accounts shall be mailed or otherwise sent to the proper officer at Washington within ten days after the end of the month to which they relate, and quarterly and other accounts within twenty days after the period to which they relate, and shall be transmitted to and received by the Auditors within twenty days of their actual receipt at the proper office in Washington in the case of monthly, and sixty days in the case of quarterly and other accounts. Should there be any delinquency in this regard at the time of the receipt by the Auditor of a requisition for an advance of money, he shall disapprove the requisition, which he may also do for other reasons arising out of the condition of the officer's accounts for whom the advance is requested; but the Secretary of the Treasury may overrule the Auditor's decision as to the sufficiency of these latter reasons: *Provided*, That the Secretary of the Treasury shall prescribe suitable rules and regulations, and may make orders in particular cases, relaxing the requirement of mailing or otherwise sending accounts, as aforesaid, within ten or twenty days, or waiving delinquency, in such cases only in which there is, or is likely to be, a manifest physical difficulty in complying with the same, it being the purpose of this provision to require the prompt rendition of accounts without regard to the mere convenience of the officers, and to forbid the advance of money to those delinquent in rendering them: *Provided further*, That should there be a delay by the administrative Departments beyond the aforesaid twenty or sixty days in transmitting accounts, an order of the President, or, in the event of the absence from the seat of Government or sickness of the President, an order of the Secretary of the Treasury, in the particular case, shall be necessary to authorize the advance of money requested: * * * [28 Stat. L. 209.]

Act of July 31, 1894, ch. 174, as amended by act of March 2, 1895, ch. 177, sec. 4, 28 Stat. L. 807.

Secretary of Treasury to report to Congress delinquencies in rendering accounts.

The Secretary of the Treasury shall, on the first Monday of January in each year, make report to Congress of such officers and administrative departments and offices of the Government as were, respectively, at any time during the last preceding fiscal year delinquent in rendering or transmitting accounts to the proper offices in Washing-

ton and the cause therefor, and in each case indicating whether the delinquency was waived, together with such officers * * * as were found upon final settlement of their accounts to have been indebted to the Government, with the amount of such indebtedness in each case, and who, at the date of making report, had failed to pay the same into the Treasury of the United States. [29 Stat. L. 179.]

Legislative, executive, and judicial appropriation act of May 28, 1896, ch. 252, amending act of July 31, 1894, ch. 174, 28 Stat. L. 209.

SEC. 22. * * * It shall also be the duty of the heads of the several Executive Departments and of the proper officers of other Government establishments, not within the jurisdiction of any Executive Department, to make appropriate rules and regulations to secure a proper administrative examination of all accounts sent to them, as required by section twelve of this Act, before their transmission to the Auditors, and for the execution of other requirements of this Act in so far as the same relate to the several Departments or establishments. [28 Stat. L. 211.]

Legislative, executive, and judicial appropriation act of July 31, 1894, ch. 174.

SEC. 3677. The Commissioner of Agriculture shall direct and superintend the expenditure of all money appropriated to the Department and render accounts thereof. [R. S.]

Rules, etc., by Departments for examination of accounts.
Commissioner of Agriculture to control and account for money appropriated for Department of Agriculture.

SEC. 456. * * * The Auditor for the State and other Departments shall receive and examine all accounts of salaries and incidental expenses of the offices of the Secretary of State, the Attorney-General, and the Secretary of Agriculture, and of all bureaus and offices under their direction; all accounts relating to all other business within the jurisdiction of the Departments of State, Justice, and Agriculture; * * * He shall certify the balances arising thereon to the Division of Bookkeeping and Warrants, and send forthwith a copy of each certificate, according to the character of the account, to the * * * chief officer of the Executive Department * * * concerned. [R. S.]

Auditor of accounts of Department of Agriculture.

As amended by legislative, executive, and judicial appropriation act of July 31, 1894, ch. 174, 28 Stat. L. 207.

SEC. 4. That hereafter all disbursing officers of the United States shall render their accounts quarterly; * * * but the Secretary of the Treasury may direct any or all such accounts to be rendered more frequently when in his judgment the public interests may require. [26 Stat. L. 413.]

Disbursing officers to render accounts quarterly or oftener.

Sundry civil appropriation act of August 30, 1890, ch. 837.

Distinct ac-
counts required
of officers hav-
ing public
moneys.

SEC. 3623. All officers, agents, or other persons, receiving public moneys, shall render distinct accounts of the application thereof, according to the appropriation under which the same may have been advanced to them. [R. S.]

Disbursing
officers' ac-
counts to be
open to inspec-
tion of Compt-
roller and Au-
ditor.

All books, papers, and other matters relating to the office or accounts of disbursing officers of the Executive Departments, and commissions, boards, and establishments of the Government in the District of Columbia shall at all times be subject to inspection and examination by the Comptroller of the Treasury and the Auditor of the Treasury authorized to settle such accounts, or by the duly authorized agents of either of said officials. [29 Stat. L. 550.]

Legislative, executive, and judicial appropriation act of February 19, 1897, ch. 265.

Suits to re-
cover money
from officers,
regulated.

SEC. 3624. Whenever any person accountable for public money, neglects or refuses to pay into the Treasury the sum or balance reported to be due to the United States, upon the adjustment of his account, the First Comptroller of the Treasury shall institute suit for the recovery of the same, adding to the sum stated to be due on such account, the commissions of the delinquent, which shall be forfeited in every instance where suit is commenced and judgment obtained thereon, and an interest of six per centum per annum, from the time of receiving the money until it shall be repaid into the Treasury. [R. S.]

Distress war-
rant to recover
money from
officers.

SEC. 3625. Whenever any collector of the revenue, receiver of public money; or other officer who has received the public money before it is paid into the Treasury of the United States, fails to render his account, or pay over the same in the manner or within the time required by law, it shall be the duty of the proper Auditor to cause to be stated the account of such officer, exhibiting truly the amount due to the United States, and to certify the same to the Solicitor of the Treasury, who shall issue a warrant of distress against the delinquent officer and his sureties, directed to the marshal of the district in which such officer and his sureties reside. Where the officer and his sureties reside in different districts, or where they, or either of them, reside in a district other than that in which the estate of either may be, which it is intended to take and sell, then such warrant shall be directed to the marshals of such districts, respectively. [R. S.]

As amended by legislative, executive, and judicial appropriation act of July 31, 1894, ch. 174, sec. 4, 28 Stat. L. 206.

Failure of
disbursing of-
ficer to ac-
count; penalty.

SEC. 3633. Whenever any officer employed in the civil, military, or naval service of the Government, to disburse the public money appropriated for those branches of the public service, respectively, fails to render his accounts or to pay over, in the manner and in the times required

by law, or by the regulations of the Department to which he is accountable, any sum of money remaining in his hands, it shall be the duty of the proper Auditor, as the case may be, who shall be charged with the revision of the accounts of such officer, to cause to be stated and certified the account of such delinquent officer to the Solicitor of the Treasury, who is hereby authorized and required immediately to proceed against such delinquent officer, in the manner directed in the six preceding sections. [R. S.]

As amended by legislative, executive, and judicial appropriation act of July 31, 1894, ch. 174, sec. 4, 28 Stat. L. 206.

SEC. 3634. All the provisions relating to the issuing of a warrant of distress against a delinquent officer shall extend to every officer of the Government charged with the disbursement of the public money, and to their sureties, in the same manner and to the same extent as if they were herein described and enumerated. [R. S.]

Extent of application of provision for distress warrants.

SEC. 3639. The Treasurer of the United States, all assistant treasurers, and those performing the duties of assistant treasurer, * * * and all public officers of whatsoever character, are required to keep safely, without loaning, using, depositing in banks, or exchanging for other funds than as specially allowed by law, all the public money collected by them, or otherwise at any time placed in their possession and custody, till the same is ordered, by the proper Department or officer of the Government, to be transferred or paid out; and when such orders for transfer or payment are received, faithfully and promptly to make the same as directed, and to do and perform all other duties as fiscal agents of the Government which may be imposed by any law, or by any regulation of the Treasury Department made in conformity to law. * * * [R. S.]

Duties of officers as custodians of public moneys.

SEC. 1780. Every officer who neglects or refuses to make any return or report which he is required to make at stated times by any act of Congress or regulation of the Department of the Treasury, other than his accounts, within the time prescribed by such act or regulation, shall be fined not more than one thousand dollars and not less than one hundred. [R. S.]

Penalty for failure to make returns or reports.

SEC. 1788. Every officer of the United States concerned in the disbursement of the revenues thereof who carries on any trade or business in the funds or debts of the United States, or of any State, or in any public property of either, shall be deemed guilty of a misdemeanor, and punished by a fine of three thousand dollars, and shall, upon conviction, be removed from office, and forever thereafter be incapable of holding any office under the United States. [R. S.]

Disbursing officers forbidden to trade in public funds or property.

Custodians of public moneys to keep an entry of each deposit, payment and transfer.

SEC. 3643. All persons charged by law with the safe-keeping, transfer, and disbursement of the public moneys * * * are required to keep an accurate entry of each sum received and of each payment or transfer. [R. S.]

Advances of public moneys prohibited.

SEC. 3648. No advance of public money shall be made in any case whatever. And in all cases of contracts for the performance of any service, or the delivery of articles of any description, for the use of the United States, payment shall not exceed the value of the service rendered, or of the articles delivered previously to such payment. It shall, however, be lawful, under the special direction of the President, to make such advances to the disbursing officers of the Government as may be necessary to the faithful and prompt discharge of their respective duties, and to the fulfillment of the public engagements. * * * [R. S.]

Advances of public money in the Department of Agriculture.

* * * That advances of public money from the appropriations for the Department of Agriculture shall be made by the Secretary of Agriculture only to such chiefs of field parties, agricultural explorers, special agents, and others as shall have given bonds in such sums as the Secretary of Agriculture shall direct. [32 Stat. L. 303.]

Agricultural appropriation act of June 3, 1902, ch. 985.

Exchange of funds restricted; punishment for violation.

SEC. 3651. No exchange of funds shall be made by any disbursing officer or agent of the Government, of any grade or denomination whatsoever, or connected with any branch of the public service, other than an exchange for gold, silver, United States notes, and national-bank notes; and every such disbursing officer, when the means for his disbursements are furnished to him in gold, silver, United States notes, or national-bank notes, shall make his payments in the moneys so furnished; or when they are furnished to him in drafts, shall cause those drafts to be presented at their place of payment, and properly paid according to law, and shall make his payments in money so received for the drafts furnished, unless, in either case, he can exchange the means in his hands for gold and silver at par. And it shall be the duty of the head of the proper Department immediately to suspend from duty any disbursing officer or agent who violates the provisions of this section, and forthwith to report the name of the officer or agent to the President, with the fact of the violation, and all the circumstances accompanying the same, and within the knowledge of the Secretary, to the end that such officer or agent may be promptly removed from office, or restored to his trust and the performance of his duties, as the President may deem just and proper. [R. S.]

SEC. 3652. No officer of the United States shall, either directly or indirectly, sell or dispose of to any person, Premium on sales of public moneys to be accounted for. for a premium, any Treasury note, draft, warrant, or other public security, not his private property, or sell or dispose of the avails or proceeds of such note, draft, warrant, or security, in his hands for disbursement, without making return of such premium, and accounting therefor by charging the same in his accounts to the credit of the United States; and any officer violating this section shall be forthwith dismissed from office. [R. S.]

SEC. 5483. Every officer charged with the payment of any of the appropriations made by any act of Congress, Officers obtaining receipts for larger sums than are paid; penalty. who pays to any clerk, or other employé of the United States, a sum less than that provided by law, and requires such employé to receipt or give a voucher for an amount greater than that actually paid to and received by him, is guilty of embezzlement, and shall be fined in double the amount so withheld from any employé of the Government, and shall be imprisoned at hard labor for the term of two years. [R. S.]

SEC. 5488. Every disbursing officer of the United States Disbursing officers unlawfully depositing, loaning, or transferring public money; penalty. who deposits any public money intrusted to him in any place or in any manner, except as authorized by law, or converts to his own use in any way whatever, or loans with or without interest, or for any purpose not prescribed by law withdraws from the Treasurer or any assistant treasurer, or any authorized depository, or for any purpose not prescribed by law transfers or applies any portion of the public money intrusted to him, is, in every such act, deemed guilty of an embezzlement of the money so deposited, converted, loaned, withdrawn, transferred, or applied; and shall be punished by imprisonment with hard labor for a term not less than one year nor more than ten years, or by a fine of not more than the amount embezzled or less than one thousand dollars, or by both such fine and imprisonment. [R. S.]

SEC. 5490. Every officer or other person charged by any act of Congress with the safe-keeping of the public Custodian of public money failing to keep, without loaning, etc. moneys, who fails to safely keep the same, without loaning, using, converting to his own use, depositing in banks, or exchanging for other funds than as specially allowed by law, shall be guilty of embezzlement of the money so loaned, used, converted, deposited, or exchanged; and shall be imprisoned not less than six months nor more than ten years, and fined in a sum equal to the amount of money so embezzled. [R. S.]

SEC. 5491. Every officer or agent of the United States Failure of officer having public money to render accounts therefor; penalty. who, having received public money which he is not authorized to retain as salary, pay, or emolument, fails to render his accounts for the same as provided by law, shall

be deemed guilty of embezzlement, and shall be fined in a sum equal to the amount of the money embezzled, and shall be imprisoned not less than six months or more than ten years. [R. S.]

Failure of custodian of public money to deposit as required; penalty.

SEC. 5492. Every person who, having moneys of the United States in his hands or possession, fails to make deposit of the same with the Treasurer, or some assistant treasurer, or some public depositary of the United States, when required so to do by the Secretary of the Treasury, or the head of any other proper Department, or by the accounting officers of the Treasury, shall be deemed guilty of embezzlement thereof, and shall be imprisoned not less than six months nor more than ten years, and fined in a sum equal to the amount of money embezzled. [R. S.]

Provisions of the preceding sections, how applied.

SEC. 5493. The provisions of the * * * preceding sections shall be construed to apply to all persons charged with the safe-keeping, transfer, or disbursement of the public money, whether such persons be indicted as receivers or depositaries of the same. [R. S.]

Prima-facie evidence of embezzlement.

SEC. 5495. The refusal of any person, whether in or out of office, charged with the safe-keeping, transfer, or disbursement of the public money, to pay any draft, order, or warrant, drawn upon him by the proper accounting officer of the Treasury, for any public money in his hands belonging to the United States, no matter in what capacity the same may have been received, or may be held, or to transfer or disburse any such money promptly, upon the legal requirement of any authorized officer, shall be deemed, upon the trial of any indictment against such person for embezzlement, as prima-facie evidence of such embezzlement. [R. S.]

Evidence of conversion.

SEC. 5496. If any officer charged with the disbursement of the public moneys, accepts, receives, or transmits to the Treasury Department to be allowed in his favor, any receipt or voucher from a creditor of the United States, without having paid to such creditor in such funds as the officer received for disbursement, or in such funds as he may be authorized by law to take in exchange, the full amount specified in such receipt or voucher, every such act is an act of conversion, by such officer, to his own use, of the amount specified in such receipt or voucher. [R. S.]

Unlawfully receiving, etc., public moneys to be embezzlement; penalty.

SEC. 5497. Every banker, broker, or other person not an authorized depositary of public moneys, who knowingly receives from any disbursing officer, or collector of internal revenue, or other agent of the United States, any public money on deposit, or by way of loan or accommodation, with or without interest, or otherwise than in pay-

ment of a debt against the United States, or who uses, transfers, converts, appropriates, or applies any portion of the public money for any purpose not prescribed by law, and every president, cashier, teller, director, or other officer of any bank or banking association, who violates any of the provisions of this section, is guilty of an act of embezzlement of the public money so deposited, loaned, transferred, used, converted, appropriated, or applied, and shall be punished as prescribed in section fifty-four hundred and eighty-eight. * * * and any officer of the United States, or any assistant of such officer, who shall embezzle or wrongfully convert to his own use any money or property which may have come into his possession or under his control in the execution of such office or employment, or under color or claim of authority as such officer or assistant, whether the same shall be the money or property of the United States or of some other person or party, shall, where the offense is not otherwise punishable by some statute of the United States, be punished by a fine equal to the value of the money and property thus embezzled or converted, or by imprisonment not less than three months nor more than ten years, or by both such fine and imprisonment. [R. S.]

As amended by the act of February 3, 1879, ch. 42, 20 Stat. L. 280.

That hereafter, whenever any deficiency shall be discovered in the accounts of any official of the United States, or of any officer disbursing or chargeable with public money, it shall be the duty of the accounting officers making such discovery to at once notify the head of the Department having control over the affairs of said officer of the nature and amount of said deficiency, and it shall be the immediate duty of said head of Department to at once notify all obligors upon the bond or bonds of such official of the nature of such deficiency and the amount thereof. Said notification shall be deemed sufficient if mailed at the post-office in the city of Washington, District of Columbia, addressed to said sureties respectively, and directed to the respective post-offices where said obligors may reside, if known; but a failure to give or mail such notice shall not discharge the surety or sureties upon such bond. [25 Stat. L. 387.]

Notice of principal's deficiency to be immediately communicated to sureties on official bonds.

Act of August 8, 1888, ch. 787.

Disbursing officers, or the head of any Executive Department, or other establishment not under any of the Executive Departments, may apply for and the Comptroller of the Treasury shall render his decision upon any question involving a payment to be made by them or under them, which decision, when rendered, shall govern the Auditor and the Comptroller of the Treasury in pass-

Comptroller's decisions to govern accounts.

ing upon the account containing said disbursement. [28 Stat. L. 208.]

Legislative, executive, and judicial appropriation act of July 31, 1894, ch. 174.

Proceeds of sales of material to be covered into Treasury.

SEC. 3618. All proceeds of sales of old material, condemned stores, supplies, or other public property of any kind, except * * * materials, stores, or supplies to any exploring or surveying expedition authorized by law, shall be deposited and covered into the Treasury as miscellaneous receipts, on account of "proceeds of Government property," and shall not be withdrawn or applied, except in consequence of a subsequent appropriation made by law. [R. S.]

Expenses of sales of condemned property, etc., to be paid from proceeds.

That from the proceeds of sales of old material, condemned stores, supplies, or other public property of any kind, before being deposited into the Treasury, either as miscellaneous receipts on account of "proceeds of Government property" or to the credit of the appropriations to which such proceeds are by law authorized to be made, there may be paid the expenses of such sales, as approved by the accounting officers of the Treasury, so as to require only the net proceeds of such sales to be deposited into the Treasury, either as miscellaneous receipts or to the credit of such appropriations, as the case may be. [29 Stat. L. 268.]

Deficiency appropriation act of June 8, 1896, ch. 373.

Certificates of loss, instead of returns, to be forwarded to Treasury.

That instead of forwarding to the accounting officers of the Treasury Department returns of public property entrusted to the possession of officers or agents, the Quartermaster-General, the Commissary-General of Subsistence, the Surgeon-General, the Chief of Engineers, the Chief of Ordnance, the Chief Signal Officer, the Paymaster-General of the Navy, the Commissioner of Indian Affairs, or other like chief officers in any Department, by, through, or under whom stores, supplies, and other public property are received for distribution, or whose duty it is to receive or examine returns of such property, shall certify to the proper accounting officer of the Treasury Department, for debiting on the proper account, any charge against any officer or agent intrusted with public property, arising from any loss, accruing by his fault, to the Government as to the property so intrusted to him. [28 Stat. L. 47.]

Contents of certificate of loss.

SEC. 2. That said certificate shall set forth the condition of such officer's or agent's property returns, that it includes all charges made up to its date and not previously certified, and that he has had a reasonable opportunity to be heard and has not been relieved of responsibility; the effect of such certificate, when received, shall

be the same as if the facts therein set forth had been ascertained by the accounting officers of the Treasury Department in accounting. [28 Stat. L. 47.]

SEC. 3. That the manner of making property returns to or in any administrative bureau or department, or of ascertaining liability for property, under existing laws and regulations, shall not be affected by this Act, except as provided in section one; but in all cases arising as to such property so intrusted the officer or agent shall have an opportunity to relieve himself from liability. [28 Stat. L. 47.]

Manner of making returns or of ascertaining liability, not affected.

SEC. 4. That the heads of the several Departments are hereby empowered to make and enforce regulations to carry out the provisions of this Act. [28 Stat. L. 47.]

Departments empowered to make regulations regarding certificates of loss.

SEC. 5. That all laws or parts of laws inconsistent with the provisions of this Act are hereby repealed. [28 Stat. L. 47.]

Act of March 29, 1894, ch. 49.

SEC. 5. Hereafter the Secretary of the Treasury shall require, and it shall be the duty of the head of each Executive Department or other Government establishment to furnish him, within thirty days after the close of each fiscal year, a statement of all money arising from proceeds of public property of any kind or from any source other than the postal service, received by said head of Department or other Government establishment during the previous fiscal year for or on account of the public service, or in any other manner in the discharge of his official duties other than as salary or compensation, which was not paid into the General Treasury of the United States, together with a detailed account of all payments, if any, made from such funds during such year. All such statements, together with a similar statement applying to the Treasury Department, shall be transmitted by the Secretary of the Treasury to Congress at the beginning of each regular session. [34 Stat. L. 763.]

Departments to furnish annual statements of proceeds of public property.

Sundry civil appropriation act of June 30, 1906, ch. 3914.

And hereafter the Secretary of Agriculture is hereby authorized to furnish, upon application, prints and lantern slides from negatives in the possession of the Department and to charge for the same a price to cover the cost of preparation, such price to be determined and established by the Secretary of Agriculture, and the money received from such sales to be deposited in the Treasury of the United States. [34 Stat. L. 1281.]

Department of Agriculture authorized to furnish photographs, etc., at cost.

Agricultural appropriation act of March 4, 1907, ch. 2907.

This provision appears also in the act of June 30, 1906, ch. 3913, 34 Stat. L. 696.

Departments
to keep inven-
tories of all
property.

SEC. 197. The Secretary of State, the Secretary of the Treasury, the Secretary of the Interior, the Secretary of War, the Secretary of the Navy, the Postmaster-General, the Attorney-General, and Commissioner of Agriculture shall keep, in proper books, a complete inventory of all the property belonging to the United States in the buildings, rooms, offices, and grounds occupied by them, respectively, and under their charge, adding thereto, from time to time, an account of such property as may be procured subsequently to the taking of such inventory, as well as an account of the sale or other disposition of any of such property, * * * [R. S.]

Furniture to
be used al-
though not cor-
responding to
regulation
plan.

* * * And all furniture now owned by the United States in other public buildings and in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan for furniture or not. [34 Stat. L. 1314.]

Sundry civil appropriation act of March 4, 1907, ch. 2918.
Provisions the same or similar have been enacted in previous acts for several years.

No payment
for transporta-
tion of public
property, to
land-grant rail-
roads.

* * * That no money shall hereafter be paid to any railroad company for the transportation of any property of the United States over any railroad which in whole or in part was constructed by the aid of a grant of public land on the condition that such railroad should be a public highway for the use of the Government of the United States free from toll or other charge, or upon any other conditions for the use of such road, for such transportation; * * * [18 Stat. L. 453.]

Act of March 3, 1875, ch. 133.

Quartermas-
ter's Depart-
ment to trans-
port Govern-
ment property.

* * * That hereafter the Quartermaster-General and his officers, under his instructions, wherever stationed, shall receive, transport, and be responsible for all property turned over to them, or any one of them, by the officers or agents of any Government survey, * * * for the civil or naval departments of the Government, in Washington or elsewhere, under the regulations governing the transportation of Army supplies, the amount paid for such transportation to be refunded or paid by the Bureau to which such property or stores pertain. [23 Stat. L. 111.]

Act of July 5, 1884, ch. 217.

Robbery or
larceny of per-
sonal property
of the United
States; pen-
alty.

SEC. 5456. Every person who robs another of any kind or description of personal property belonging to the United States, or feloniously takes and carries away the same, shall be punished by a fine of not more than five thousand dollars, or by imprisonment at hard labor not less than one nor more than ten years, or by both such fine and imprisonment. [R. S.]

That any person who shall embezzle, steal, or purloin any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, shall be deemed guilty of felony, and on conviction thereof before the district or circuit court of the United States in the district wherein said offense may have been committed, or into which he shall carry or have in possession of said property so embezzled, stolen, or purloined, shall be punished therefor by imprisonment at hard labor in the penitentiary not exceeding five years, or by a fine not exceeding five thousand dollars, or both, at the discretion of the court before which he shall be convicted. [18 Stat. L. 479.]

Embezzling,
stealing, etc.,
from the Uni-
ted States;
penalty.

Act of March 3, 1875, ch. 144.

SEC. 2. That if any person shall receive, conceal, or aid in concealing, or have, or retain in his possession with intent to convert to his own use or gain, any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, which has theretofore been embezzled, stolen, or purloined from the United States by any other person, knowing the same to have been so embezzled, stolen, or purloined, such person shall, on conviction before the circuit or district court of the United States in the district wherein he may have such property, be punished by a fine not exceeding five thousand dollars, or imprisonment at hard labor in the penitentiary not exceeding five years, one or both, at the discretion of the court before which he shall be convicted; and such receiver may be tried either before or after the conviction of the principal felon, but if the party has been convicted, then the judgment against him shall be conclusive evidence in the prosecution against such receiver that the property of the United States therein described has been embezzled, stolen, or purloined [18 Stat. L. 479.]

Receiving,
concealing,
etc., stolen,
etc., property
of the United
States; pen-
alty.

Act of March 3, 1875, ch. 144.

That upon the request of the head of any department, the Secretary of War be, and he hereby is, authorized and directed to issue arms and ammunition whenever they may be required for the protection of the public money and property, and they may be delivered to any officer of the department designated by the head of such department, to be accounted for to the Secretary of War, and to be returned when the necessity for their use has expired. Arms and ammunition heretofore furnished to any department by the War Department, for which the War Department has not been reimbursed, may be receipted for under the provisions of this act. [20 Stat. L. 412.]

Arms and
ammunition to
be issued to
Department
whenever nec-
essary for pro-
tection of pub-
lic money and
property.

Deficiency appropriation act of March 3, 1879, ch. 183.

BUILDINGS AND GROUNDS.

Balances of
appropriations
for public
buildings.

* * * That all moneys heretofore appropriated for the construction of public buildings and now remaining to the credit of the same on the books of the Treasury Department, or which may hereafter be appropriated for such buildings, shall remain available until the completion of the work for which they are, or may be, appropriated; and upon the final completion of each or any of said buildings, and the payment of all outstanding liabilities therefor, the balance or balances remaining shall be immediately covered into the Treasury. [18 Stat. L. 275.]

Act of June 23, 1874, ch. 476.

Restrictions
on contracts
and expendi-
tures for con-
structing pub-
lic buildings.

And hereafter no money shall be paid nor contracts made for payment for any site for a public building in excess of the amount specifically appropriated therefor; and no money shall be expended upon any public building on which work has not yet been actually begun until after drawings and specifications together with detailed estimates of the cost thereof, shall have been made by the Supervising Architect of the Treasury Department, and said plans and estimates shall have been approved by the Secretary of the Treasury, Secretary of the Interior, and the Postmaster General; and all appropriations made for the construction of such building shall be expended within the limitations of the act authorizing the same or limiting the cost thereof; and no change of said plan involving an increase of expense exceeding ten per centum of the amount to which said building was limited shall be allowed or paid by any officer of the Government without the special authority of Congress. [18 Stat. L. 395.]

Sundry civil appropriation act of March 3, 1875, ch. 130.

No land to
be purchased
for United
States unless
authorized by
law.

SEC. 3736. No land shall be purchased on account of the United States, except under a law authorizing such purchase. [R. S.]

Restriction
on expenses for
electricity.

SEC. 9. No appropriation heretofore or hereafter made for the construction or equipment of any executive or municipal building in the District of Columbia shall be expended for the production of electricity for light or power, unless, in the judgment of the Secretary of the Treasury, such necessary electric current for light and power can not be obtained at less cost. [34 Stat. L. 1371.]

Sundry civil appropriation act of March 4, 1907, ch. 2918.

Title to land
to be pur-
chased by the
United States.

SEC. 355. No public money shall be expended upon any site or land purchased by the United States for the purposes of erecting thereon any * * * public building, of any kind whatever, until the written opinion of the Attorney-General shall be had in favor of the validity of the title, nor until the consent of the legislature of the

State in which the land or site may be, to such purchase, has been given. The district attorneys of the United States, upon the application of the Attorney-General, shall furnish any assistance or information in their power in relation to the titles of the public property lying within their respective districts. And the Secretaries of the Departments, upon the application of the Attorney-General, shall procure any additional evidence of title which he may deem necessary, and which may not be in the possession of the officers of the Government, and the expense of procuring it shall be paid out of the appropriations made for the contingencies of the Departments respectively. [R. S.]

That hereafter all legal services connected with the procurement of titles to site for public buildings * * * shall be rendered by United States district attorneys; Procuring titles to sites for public buildings. *Provided further*, That hereafter, in the procurement of sites for such public buildings, it shall be the duty of the Attorney-General to require of the grantors in each case to furnish, free of all expenses to the Government, all requisite abstracts, official certifications, and evidences of title that the Attorney-General may deem necessary. [25 Stat. L. 941.]

Sundry civil appropriation act of March 2, 1889, ch. 411.

Sec. 3734. Before any new buildings for the use of the United States are commenced, the plans and full estimates therefor shall be prepared and approved by the Secretary of the Treasury, the Postmaster-General, and the Secretary of the Interior; and the cost of each building shall not exceed the amount of such estimate. [R. S.] Plans and estimates for new buildings.

* * * And where buildings are rented for public use in the District of Columbia, the executive departments are authorized, whenever it shall be advantageous to the public interest, to rent others in their stead: *Provided*, That no increase in the number of buildings now in use, nor in the amounts paid for rents, shall result therefrom. * * * [22 Stat. L. 241.] Renting of buildings for Departments in District of Columbia.

Legislative, executive, and judicial appropriation act of August 5, 1882, ch. 389.

Sec. 3. That hereafter no building owned, or used for public purposes, by the Government of the United States, shall be draped in mourning and no part of the public fund shall be used for such purpose. [27 Stat. L. 715.] Draping public buildings in mourning forbidden.

Legislative, executive, and judicial appropriation act of March 3, 1893, ch. 211.

That hereafter no public building, or the approaches thereto, other than the Capitol building and the White House, in the District of Columbia, shall be used or occu- Use of buildings, etc., for public ceremonies forbidden.

pied in any manner whatever in connection with ceremonies attending the inauguration of the President of the United States, or other public function, except as may hereafter be expressly authorized by law. [32 Stat L. 152.]

Legislative, executive, and judicial appropriation act of April 28, 1902, ch. 594.

Shutting off
water in pub-
lic buildings.

* * * all officers in charge of public buildings in the District of Columbia shall cause the flow of water in the buildings under their charge to be shut off from five o'clock post meridian to eight o'clock ante meridian *Provided*, That the water in said public buildings is not necessarily in use for public business. [22 Stat. L. 615.]

Sundry civil appropriation act of March 3, 1883, ch. 143.

Statement of
gas meters in
Department
buildings to be
taken, etc.

* * * That the superintendent of meters at the Capitol shall hereafter take the statement of the meters of the several Department buildings in the city of Washington and render to the proper accounting officers of the Treasury Department the consumption of gas each month in said buildings respectively. [19 Stat. L. 115.]

Sundry civil appropriation act of July 31, 1876, ch. 246.

Police laws,
etc., of Dis-
trict of Colum-
bia protecting
property ex-
tended to pub-
lic buildings.

SEC. 15. That the provisions of the several laws and regulations within the District of Columbia for the protection of public or private property and the preservation of peace and order be, and the same are hereby, extended to all public buildings and public grounds belonging to the United States within the District of Columbia. And any person guilty of disorderly and unlawful conduct in or about the same, or who shall willfully injure the buildings or shrubs, or shall pull down, impair, or otherwise injure any fence, wall, or other inclosure, or shall injure any sink, culvert, pipe, hydrant, cistern, lamp, or bridge or shall remove any stone, gravel, sand, or other property of the United States, or any other part of the public grounds or lots belonging to the United States in the District of Columbia, shall, upon conviction thereof, be fined not more than fifty dollars. [27 Stat. L. 325.]

Act of July 29, 1892, ch. 320.

Construction
of new build-
ing for Depart-
ment of Agri-
culture author-
ized; plans;
contracts.

That the Secretary of Agriculture be, and he is hereby authorized and directed to cause a suitable and commodious fireproof building, for the use and accommodation of the Department of Agriculture, including all of its Bureaus and offices now occupying rented quarter in the District of Columbia, to be erected on such portion of the grounds of the Department of Agriculture belonging to the United States as he may deem expedient, immediately in the vicinity of the present building, said building to be constructed in accordance with plans, to be procured, based on accurate estimates, providing for the erection of said building, complete in all of its details, a

herein described, and within a total cost of not exceeding the sum herein stipulated, and he is hereby authorized, after procuring such plans, and after due advertisement for proposals, to enter into contracts within the limit of cost hereby fixed and subject to appropriations to be made by Congress, for the erection of said building complete, including heating and ventilating apparatus, elevators, and approaches, and the removal of the present building or buildings of the Department of Agriculture on said grounds. [32 Stat. L. 806.]

SEC. 2. That the supervision of the construction of said building shall be placed in charge of an officer of the Government especially qualified for the duty, to be appointed by the Secretary of Agriculture, subject to the approval of the head of the department in which such officer is employed, who shall receive for his additional services an increase of twenty-five per centum of his present salary, such increase to be paid out of the appropriation for the building herein authorized. [32 Stat. L. 806.]

SEC. 3. That the limit of cost for the construction of said building complete, including heating and ventilating apparatus, elevators, and approaches, and the cost for removal of the present building or buildings of the Department of Agriculture, is hereby fixed at one million five hundred thousand dollars, and no contract shall be entered into or expenditure authorized in excess of said amount. [32 Stat. L. 806.]

Act of February 9, 1903, entitled "An act for the erection of a building for the use and accommodation of the Department of Agriculture." Appropriations for construction are made in the sundry civil appropriation act of March 4, 1907, ch. 2918, 34 Stat. L. 1364; June 30, 1906, ch. 3914, 34 Stat. L. 753; March 3, 1905, ch. 1483, 33 Stat. L. 1211.

That the Secretary of War is authorized to grant permission to the Department of Agriculture for the temporary occupation of such area or areas of Potomac Park, not exceeding a total of seventy-five acres in extent, as may not be needed in any one season for the reclamation or park improvement, the said areas to be used by the Department of Agriculture as testing grounds: *Provided*, That nothing herein contained shall be construed to change the essential character of the lands so used, which lands shall continue to be a public park, as provided in the Act of Congress approved March third, eighteen hundred and ninety-seven: *And provided further*, That said area or areas shall be vacated by the Department of Agriculture at the close of any season upon the request of the Secretary of War: *And provided further*, That the entire park shall remain under the charge of the Secretary of War. [30 Stat. L. 1378.]

Act of March 3, 1889, ch. 458, entitled "An act relative to the control of wharf property and certain public spaces in the District of Columbia."

LAWS APPLICABLE TO DEPARTMENT OF AGRICULTURE.

That jurisdiction is hereby transferred and given to the Secretary of Agriculture and his successors in office over so much of the Government land in Alexandria County, Virginia, known as the Arlington estate, as lies east of the public road leading from the Aqueduct Bridge to Alexandria, Virginia, otherwise called the Georgetown and Alexandria road, and between said road and the Potomac River, containing about four hundred acres, with the exception, however, of a strip of land as follows, commencing at the point where the Georgetown and Alexandria road enters the Arlington estate on the north side, thence along said road six hundred and twenty-five yards, thence in a line perpendicular to said road to the Chesapeake and Ohio Canal, thence along said canal to the south line of the reservation, jurisdiction over which is retained by the Secretary of War. [31 Stat. L. 135.]

SEC. 2. That the declared purpose of this Act is to set apart said tract of land as a general experimental farm in its broadest sense, where all that pertains to agriculture in its several and different branches, including animal industry and horticulture, may be fostered and encouraged, and the practice and science of farming in the United States advanced, promoted, and practically illustrated. [31 Stat. L. 136.]

SEC. 3. That the Secretary of Agriculture will take immediate and absolute control of said property described in section one, and by clearing, underdraining, grassing, laying out proper roads and driveways, constructing proper bridges and buildings, and in other ways as his judgment may dictate bring said property as rapidly as possible into the proper condition to answer the purposes for which it is set apart: *Provided*, That all improvements of or which may at any time be made upon said premises, as herein contemplated, shall be so located, constructed, and maintained as not to interfere with or obstruct the natural waterways or the sewers or other means now established or which may hereafter be provided, constructed, or maintained for the purpose of affording proper drainage and sewerage to the other portions of said estate: *And provided further*, That this Act shall not impair or interfere with any of the rights heretofore granted by Act of Congress to the Washington, Alexandria and Mount Vernon Railway Company to construct, maintain, and operate its electric railroad across the said portion of the estate lying east of said public road. [31 Stat. L. 136.]

SEC. 4. That in the development, improvement, and management of said property full discretion is hereby given the Secretary of Agriculture and his successors in office to carry into effect the declared purposes of this Act. [31 Stat. L. 136.]

SEC. 5. That this Act shall be in force from its passage.
[31 Stat. L. 136.]

Act of April 18, 1900, ch. 243, entitled "An act to set apart a portion of the Arlington estate for experimental agricultural purposes, and to place said portion under the jurisdiction of the Secretary of Agriculture and his successors in office."

PUBLIC DOCUMENTS AND PUBLIC PRINTING.

SEC. 58. * * * of all publications of the Executive Departments not intended for their especial use, but made for distribution, five hundred copies shall be at once delivered to the superintendent of documents for distribution to designated depositories and State and Territorial libraries. [28 Stat. L. 610.]

Copies of Department publications to be delivered to superintendent of documents.

Act of January 12, 1895, ch. 23.

SEC. 61. * * * whenever any officer of the Government having in his charge documents published for sale shall desire to be relieved of the same, he is hereby authorized to turn them over to the superintendent of documents, who shall receive and sell them under the provisions of this section. * * * He shall have general supervision of the distribution of all public documents, and to his custody shall be committed all documents subject to distribution, excepting those printed for the special official use of the Executive Departments, which shall be delivered to said Department, * * * [28 Stat. L. 610.]

Government officers to turn over documents to superintendent of documents for sale; superintendent of documents to have supervision and custody of documents.

Act of January 12, 1895, ch. 23.

SEC. 62. The superintendent of documents shall, at the close of each regular session of Congress, prepare and publish a comprehensive index of public documents, beginning with the Fifty-third Congress, upon such plan as shall be approved by the Joint Committee on Printing; and the Public Printer shall, immediately upon its publication, deliver to him a copy of each and every document printed by the Government Printing Office; and the head of each of the Executive Departments, bureaus, and offices of the Government shall deliver to him a copy of each and every document issued or published by such Department, bureau, or office not confidential in its character. * * * [28 Stat. L. 610.]

Preparation, etc., of index of public documents; Departments, etc., to deliver to superintendent of documents copy of each document issued.

Act of January 12, 1895, ch. 23.

SEC. 67. All documents at present remaining in charge of the several Executive Departments, bureaus, and offices of the Government not required for official use shall be delivered to the superintendent of documents, and hereafter all public documents accumulating in said Departments, bureaus, and offices not needed for official use shall

Disposition of documents accumulating in Departments, etc.

be annually turned over to the superintendent of documents for distribution or sale. [28 Stat. L. 611.]

Act of January 12, 1895, ch. 23.

Transfer of
books, etc.,
from Depart-
ments.

The head of any Executive department or bureau, or any commission of the Government is hereby authorized from time to time to turn over to the Librarian of Congress, for the use of the Library of Congress, any books, maps, or other material in the library of the department, bureau, or commission no longer needed for its use, and in the judgment of the Librarian of Congress appropriate to the uses of the Library of Congress.

Any books of a miscellaneous character no longer required for the use of such department, bureau, or commission, and not deemed an advisable addition to the Library of Congress, shall, if appropriate to the uses of the Free Public Library of the District of Columbia, be turned over to that library for general use as a part thereof. [32 Stat. L. 865.]

Legislative, executive, and judicial appropriation act of February 25, 1903, ch. 755.

Restriction
upon payments
for news-
papers, etc.

SEC. 1779. No executive officer, other than the heads of Departments, shall apply more than thirty dollars, annually, out of the contingent fund under his control, to pay for newspapers, pamphlets, periodicals, or other books or prints not necessary for the business of his office. [R. S.]

Expenditure
for newspapers
for Depart-
ments.

SEC. 192. The amount expended in any one year for newspapers, for any Department, * * * including all the Bureaus and offices connected therewith, shall not exceed one hundred dollars. And all newspapers purchased with the public money for the use of either of the Departments must be preserved as files for such Department. [R. S.]

Preservation
of newspapers
not required.

SEC. 7. So much of section one hundred and ninety-two of the Revised Statutes of the United States as requires newspapers purchased for the use of the Executive Departments to be preserved for the permanent files of such Departments be, and the same is hereby, repealed. [34 Stat. L. 449.]

Legislative, executive, and judicial appropriation act of June 22, 1906, ch. 3514.

Disposition of
useless papers
in the Depart-
ments.

That whenever there shall be in any one of the Executive Departments of the Government an accumulation of files of papers, which are not needed or useful in the transaction of the current business of such Department and have no permanent value or historical interest, it shall be the duty of the head of such Department to submit to Congress a report of that fact, accompanied by a concise statement of the condition and character of such papers. And upon the submission of such report, it shall

be the duty of the presiding officer of the Senate to appoint two Senators, and of the Speaker of the House of Representatives to appoint two Representatives, and the Senators and Representatives so appointed shall constitute a joint committee, to which shall be referred such report, with the accompanying statement of the condition and character of such papers, and such joint committee shall meet and examine such report and statement and the papers therein described, and submit to the Senate and House, respectively, a report of such examination and their recommendation. And if they report that such files of papers, or any part thereof, are not needed or useful in the transaction of the current business of such Department, and have no permanent value or historical interest, then it shall be the duty of such head of the Department to sell as waste paper, or otherwise dispose of such files of papers upon the best obtainable terms after due publication of notice inviting proposals therefor, and receive and pay the proceeds thereof into the Treasury of the United States, and make report thereof to Congress. [25 Stat. L. 672.]

Act of February 16, 1889, ch. 171.

That the Act entitled "An Act to authorize and provide for the disposition of useless papers in the Executive Departments," approved February sixteenth, eighteen hundred and eighty-nine, be, and the same is hereby, amended so as to include in its provisions any accumulation of files of papers of a like character therein described now or hereafter in the various public buildings under the control of the several Executive Departments of the Government. [28 Stat. L. 933.]

Sundry civil appropriation act of March 2, 1895, ch. 189.

And hereafter the Secretary of Agriculture is authorized to sell as waste waste paper, or otherwise to dispose of the accumulation of Department files which do not constitute permanent records, and all other documents and publications which have become obsolete or worthless. [34 Stat. L. 1281.]

Agricultural appropriation act of March 4, 1907, ch. 2907.

That any person who shall steal, wrongfully deface, injure, mutilate, tear, or destroy any book, pamphlet, or manuscript, or any portion thereof, belonging to the Library of Congress, or to any public library in the District of Columbia, whether the property of the United States or of any individual or corporation in said District, or who shall steal, wrongfully deface, injure, mutilate, tear, or destroy any book, pamphlet, document, manuscript, print, engraving, medal, newspaper, or work of art, the property of the United States, shall be held guilty of a misdemeanor, and, on conviction thereof, shall, when

Disposition of
useless papers;
provision ex-
tended.

Disposition of
accumulations
of papers,
documents,
etc., in the De-
partment of
Agriculture.

Stealing, in-
juring, etc.,
books, etc.;
penalty.

the offense is not otherwise punishable by some statute of the United States, be punished by a fine of not less than ten dollars nor more than one thousand dollars, and by imprisonment for not less than one nor more than twelve months, or both, for every such offense. [20 Stat. L. 171.]

Act of June 19, 1878, ch. 317.

Destroying,
etc., public
records; pen-
alty.

SEC. 5403. Every person who willfully destroys or attempts to destroy, or, with intent to steal or destroy, takes and carries away * * * any paper, or document, or record filed or deposited in any public office, or with any judicial or public officer, shall, without reference to the value of the record, paper, document, or proceeding so taken, pay a fine of not more than two thousand dollars, or suffer imprisonment, at hard labor, not more than three years, or both. [R. S.]

Destroying
records by offi-
cer in charge.

SEC. 5408. Every officer, having the custody of any record, document, paper, or proceeding specified in section fifty-four hundred and three, who fraudulently takes away, or withdraws, or destroys any such record, document, paper, or proceeding filed in his office or deposited with him or in his custody, shall pay a fine of not more than two thousand dollars, or suffer imprisonment at hard labor not more than three years, or both; and shall, moreover, forfeit his office and be forever afterward disqualified from holding any office under the Government of the United States. [R. S.]

Copies of
Department
books, records,
etc., admis-
sible as evi-
dence.

SEC. 882. Copies of any books, records, papers, or documents in any of the Executive Departments, authenticated under the seals of such Departments, respectively, shall be admitted in evidence equally with the originals thereof. [R. S.]

Catalogue of
Government
publications.

SEC. 69. A catalogue of Government publications shall be prepared by the superintendent of documents on the first day of each month, which shall show the documents printed during the preceding month, where obtainable, and the price thereof. Two thousand copies of such catalogue shall be printed in pamphlet form for distribution. [28 Stat. L. 612.]

Act of January 12, 1895, ch. 23.

Congres-
sional Record;
distribution to
Departments.

The Public Printer shall furnish the Congressional Record as follows and shall furnish gratuitously no others in addition thereto: * * * To the library of each of the eight Executive Departments, * * * one bound copy. * * * [28 Stat. L. 617.]

Act of January 12, 1895, ch. 23.

Congres-
sional Direc-
tory; editions
and distribu-
tion.

There shall be prepared under the direction of the Joint Committee on Printing a Congressional Directory, of which there shall be three editions during each long

session and two editions during each short session of Congress. The first edition shall be distributed to Senators, Representatives, Delegates, the principal officers of Congress, and heads of Departments on the first day of the session, and shall be ready for distribution to others within one week thereafter. * * * [28 Stat. L. 617.]

Act of January 12, 1895, ch. 23.

Of the Official Register three thousand copies shall be printed and bound, which shall be distributed as follows: Official Register; edition and distribution.
 * * * to the Department of Agriculture, fifteen copies;
 * * * [28 Stat. L. 619.]

Act of January 12, 1895, ch. 23, as amended by act of June 7, 1906; ch. 3048, 34 Stat. L. 218.

Sec. 76. The charts published by the Coast and Geodetic Survey shall be sold at cost of paper and printing as nearly as practicable; and there shall be no free distribution of such charts except to the Departments and officers of the United States requiring them for public use; * * * Coast and Geodetic Survey charts; distribution to Departments and officers of the United States. [28 Stat. L. 620.]

Act of January 12, 1895, ch. 23.

The Commissioner of Patents, upon the requisition of the Secretary of the Interior, is authorized to continue the printing of the following: * * * Copies of the specifications and drawings of each patent issued, bound in monthly volumes, one copy for each of the Executive Departments of the Government, * * * which copies shall be certified under the hand of the Commissioner and seal of the Patent Office, and shall not be taken from the depositories for any other purpose than to be used as evidence; * * * Monthly volume of specifications and drawings of patents; distribution to Departments. [28 Stat. L. 619.]

Act of January 12, 1895, ch. 23.

Sec. 2. That at the end of each session of Congress a pamphlet edition of the permanent and general legislation of the session, with notes, references, and an index, substantially on the plan of the existing Supplement, shall be stereotyped and printed at the Government Printing Office; * * * Session laws; pamphlet edition. [27 Stat. L. 478.]

Sec. 3. That the number of copies of said pamphlet and the distribution and sale thereof shall be the same as provided for the printing, distribution, and sale of said Supplement by the act of April ninth, eighteen hundred and ninety, chapter seventy-three (First Supplement to Revised Statutes, second edition, page seven hundred and twelve). [27 Stat. L. 478.] Distribution, etc.

Act of February 27, 1893, ch. 167.

Session laws; copies for Department of Agriculture.

The Secretary of State shall cause to be edited, printed, published, and distributed pamphlet copies of the statutes of the present and each future session of Congress to the officers and persons hereinafter provided for; said distribution shall be made at the close of every session of Congress, as follows: * * * to the Department of Agriculture, fifty copies; * * * [28 Stat. L. 614.]

Act of January 12, 1895, ch. 23.

Statutes at Large; copies for Department of Agriculture.

After the close of each Congress the Secretary of State shall have edited, printed, and bound a sufficient number of the volumes containing the Statutes at Large enacted by that Congress to enable him to distribute copies, or as many thereof as may be needed, as follows: * * * to the Department of Agriculture, fifty copies; * * * [28 Stat. L. 615.]

Act of January 12, 1895, ch. 23.

Index to Statutes at Large; distribution.

The Public Printer shall cause the new index to the Statutes at Large, now being prepared in accordance with the plan approved by the Judiciary Committees of both Houses of Congress, to be printed, bound and distributed in the manner now provided by law for the printing, binding and distribution of the United States Statutes at Large. [34 Stat. L. 1398.]

Act of March 4, 1907, ch. 2919.

Decisions and opinions of Comptroller of the Treasury; distribution.

That the Public Printer be, and is, required to print not more than one volume each year of the decisions and opinions of the First Comptroller of the Treasury Department, with such explanatory matter as he may furnish, * * * and for distribution in the manner provided in section seven of the act of June twentieth, eighteen hundred and seventy-four (eighteenth Statutes at Large, page one hundred and thirteen), providing for the publication of the statutes, one-half the number therein mentioned. [22 Stat. L. 391.]

Resolution of August 3, 1882, No. 63. The effect of this provision is to allot to the Department of Agriculture five copies.

Supreme Court Reports; copy for Department of Agriculture.

SEC. 683. The three hundred copies of said [United States Supreme Court] reports delivered to the Secretary of the Interior shall be distributed as follows: To * * * the Commissioner of Agriculture, * * * one copy. * * * The copies received by any officer under this section shall, in case of his death, resignation, or dismissal from office, be delivered up to his successor in office. [R. S.]

Digest of Supreme Court Reports; distribution.

SEC. 4. That the Secretary of the Interior shall likewise distribute * * * to each place to which the Decisions of the Supreme Court are sent under the provisions of this Act or of prior laws, a copy of such digest now published, or in course of publication, of the Su-

preme Court Reports in four volumes covering the decisions of said court to the end of the October Term, eighteen hundred and ninety-eight, or a later period, * * * [32 Stat. L. 631.]

Act of July 1, 1902, ch. 1355.

SEC. 2. That, beginning with volume one hundred and twenty-three, the reporter of the decisions of the Supreme Court of the United States shall deliver to the Secretary of the Interior, in addition to the number heretofore required by law to be so delivered by him, seventy-six copies of each volume of the reports of said decisions, for which additional copies he shall be allowed not exceeding two dollars per volume. And hereafter all the copies of said reports furnished by said reporter shall be distributed by the Secretary of the Interior in the manner heretofore authorized by law: * * * And the said reports, in all cases where the same are distributed as aforesaid, shall remain the property of the United States, and be preserved as such by the above-named officers, and by them to be turned over to their successors in office; * * * [25 Stat. L. 661.]

Supreme Court Reports; additional copies; distribution.

Act of February 12, 1889, ch. 135.

SEC. 1057. * * * And at the end of every term of the court he [the clerk of the Court of Claims] shall transmit a copy of its decisions to the heads of Departments; * * * to the chiefs of bureaus, and to other officers charged with the adjustment of claims against the United States. [R. S.]

Decisions of Court of Claims; copies for Departments.

SEC. 1712. * * * And they [consuls and commercial agents of the United States in foreign countries] shall also procure and transmit to the Department of State, for the use of the Agricultural Department, monthly reports relative to the character, condition, and prospective yields of the agricultural and horticultural industries and other fruiteries of the country in which they are respectively stationed; and the Commissioner of Agriculture is hereby required and directed to embody the information thus obtained, or so much thereof as he may deem material and important, in his monthly bulletin of crop reports. [R. S.]

Consuls and commercial agents to procure and transmit agricultural statistics for Department of Agriculture.

As amended by act of June 18, 1888, ch. 393, 25 Stat. L. 186.

SEC. 1713. * * * And he [every consular officer] shall also report as to the character of agricultural implements in use, and whether they are imported to or manufactured in that country; as to the character and extent of agricultural and horticultural pursuits there. That part of the information thus obtained which pertains to agriculture shall be transmitted by the Secretary of the Treasury, as soon as the same shall have been

Consular officers to furnish reports for Department of Agriculture on prices of agricultural products, and on agricultural implements and pursuits in foreign countries.

received by him, to the Commissioner of Agriculture, who shall include the same, or so much thereof as he may deem material and important, in his annual reports, stating the said prices in dollars and cents, and rendering tables of foreign weights and measures into their American equivalents. [R. S.]

As amended by act of June 18, 1888, ch. 393, 25 Stat. L. 186.

Government publications to be retained for public use.

SEC. 74. Government publications furnished to judicial and executive officers of the United States for their official use shall not become the property of these officers, but on the expiration of their official term shall be by them delivered to their successors in office and all Government publications delivered to designated depositories or other libraries shall be for public use without charge. [28 Stat. L. 620.]

Act of January 12, 1895, ch. 23.

Officer detailed to distribute publications.

SEC. 92. Government publications printed for or received by the Executive Departments, whether for official use or for distribution, shall be distributed by a competent person detailed to such duty in each Department by the head thereof. He shall keep an account in detail of all publications received and distributed by him. He shall prevent duplication, and make detailed report to the head of the Department, who shall transmit the same annually to Congress. [28 Stat. L. 623.]

Act of January 12, 1895, ch. 23.

Inserting "compliments" in documents forbidden.

No report, document, or publication of any kind distributed by or from an Executive Department or bureau of the Government shall contain any notice that the same is sent with "the compliments" of an officer of the Government, or with any special notice that it is so sent, except that notice that it has been sent, with a request for an acknowledgment of its receipt, may be given. [28 Stat. L. 620.]

Act of January 12, 1895, ch. 23.

Exchange of documents authorized.

SEC. 95. Heads of Departments are authorized to exchange surplus documents for such other documents and books as may be required by them, when the same can be done to the advantage of the public service. [28 Stat. L. 623.]

Act of January 12, 1895, ch. 23.

Department libraries designated depositories of Government publications.

SEC. 98. The libraries of the eight Executive Departments * * * are hereby constituted designated depositories of Government publications, and the superintendent of documents shall supply one copy of said publications, in the same form as supplied to other depositories, to each of said libraries. [28 Stat. L. 624.]

Act of January 12, 1895, ch. 23.

SEC. 3. That of any publication printed at the Government expense by direction of any Department, commission, bureau, or officer of the Government elsewhere than at the Government Printing Office there shall be supplied to the Library of Congress for its own use and for international exchange sixty-two copies, except as such number shall be enlarged to not exceeding one hundred copies by request of the Joint Committee on the Library. [31 Stat. L. 1465.]

Number of copies of publications printed elsewhere than at Government Printing Office to be supplied to Library of Congress.

Resolution of March 2, 1901, No. 16.

SEC. 31. All printing offices in the Departments now in operation, or hereafter put in operation, by law, shall be considered a part of the Government Printing Office, and shall be under the control of the Public Printer, who shall furnish all presses, types, imposing stones, and necessary machinery and material for said offices from the general supplies of the Government Printing Office; and all paper and material of every kind used in the said offices for departmental work, except letter and note paper and envelopes, shall be supplied by the Public Printer; and all persons employed in said printing offices and binderies shall be appointed by the Public Printer, and be carried on his pay roll the same as employees in the main office, and shall be responsible to him: *Provided*, That the terms of this Act shall not apply to the office in the Weather Bureau, * * * but the Public Printer, with the approval of the Joint Committee on Printing, may abolish any of these excepted offices whenever in their judgment the economy of the public service would be thereby advanced.

Department printing offices to be under Public Printer.

Weather Bureau office excepted.

All work done in the said offices shall be ordered on blanks prepared for that purpose by the Public Printer, which shall be numbered consecutively, and must be signed by someone designated by the head of the Department for which the work is to be done, who shall be held responsible for all work thus ordered, and who shall quarterly report to the head of the Department a classified statement of the work done and the cost thereof, which report shall be transmitted to the Public Printer in time for his annual report to Congress. The Public Printer shall show in detail, in his annual report, the cost of operating each departmental office. [28 Stat. L. 605.]

Officer designated to sign requisitions.

Quarterly reports.

Act of January 12, 1895, ch. 23.

SEC. 51. The forms and style in which the printing or binding ordered by any of the Departments shall be executed, and the material and the size of type to be used, shall be determined by the Public Printer, having proper regard to economy, workmanship, and the purposes for which the work is needed. [28 Stat. L. 608.]

Form and style of printing and binding for Departments.

Act of January 12, 1895, ch. 23, amending R. S., sec. 3790.

Illustrations
and maps for
reports.

SEC. 80. No document or report to be illustrated or accompanied by maps shall be printed by the Public Printer until the illustrations or maps designed therefor shall be ready for publication; and no order for public printing shall be acted upon by the Public Printer after the expiration of one year, unless the entire copy and illustrations for the work shall have been furnished within that period: *Provided*. This section shall not apply to orders heretofore made for the printing of a series of volumes on one subject. [28 Stat. L. 621.]

Act of January 12, 1895, ch. 23.

Binding, title,
and classifica-
tion of public
documents.

SEC. 81. Every public document of sufficient size on any one subject shall be bound separately, and receive the title suggested by the subject of the volume, which shall be the chief title, and the classification of the volume shall be placed on the back at the bottom, as simply indicating its classification and not as a part of the title. [28 Stat. L. 621.]

Act of January 12, 1895, ch. 23.

No printing
or binding un-
less authorized
by law; styles
of binding for
Departments.

SEC. 86. No printing or binding shall be done at the Government Printing Office unless authorized by law. Binding for the Departments of the Government shall be done in plain sheep or cloth, except that record and account books may be bound in Russia leather, sheep fleshers, and skivers, when authorized by the head of a Department: *Provided*, The libraries of the several Departments * * * may have books for the exclusive use of said libraries bound in half Turkey, or material no more expensive. [28 Stat. L. 622.]

Act of January 12, 1895, ch. 23, amending R. S., sec. 3785.

Departmental
printing, bind-
ing, etc., to be
done at Gov-
ernment Print-
ing Office.

SEC. 87. All printing, binding, and blank books * * * for the Executive * * * Departments shall be done at the Government Printing Office, except in cases otherwise provided by law. [28 Stat. L. 622.]

Act of January 12, 1895, ch. 23. This provision is identical with R. S., sec. 3786.

No printing
for Depart-
ments in excess
of appropria-
tion or without
requisition.

SEC. 89. No printing shall be done for the Executive Departments in any fiscal year in excess of the amount of the appropriation, and none shall be done without a special requisition, signed by the chief of the Department and filed with the Public Printer.

Limitation of
number of
copies of re-
ports, etc.;
number of
copies of
monthly crop
report, other
reports and
bulletins of De-
partment of
Agriculture,
and bulletins,
reports, etc., of
Weather Bu-
reau.

No report, publication, or document shall be printed in excess of the number of one thousand of each in any one fiscal year without authorization therefor by Congress, except that of the annual report of the head of the Department without appendices there may be printed in any one fiscal year not to exceed five thousand copies, bound in pamphlet form; and of the reports of chiefs of bureaus without appendices there may be printed in any one fiscal year not to exceed two thousand five hundred copies,

bound in pamphlet form: *Provided*, The Secretary of Agriculture may print such number of copies of the monthly crop report, and of other reports and bulletins containing not to exceed one hundred octavo pages, as he shall deem requisite; and this provision shall apply to the maps, charts, bulletins, and minor reports of the Weather Bureau, which shall be printed in such numbers as the Secretary of Agriculture may deem for the best interests of the Government: * * *

Heads of Executive Departments shall direct whether reports made to them by bureau chiefs and chiefs of divisions shall be printed or not. [28 Stat. L. 622.]

Act of January 12, 1895, ch. 23.

SEC. 90. The heads of Executive Departments, and such executive officers as are not connected with the Departments, respectively, shall cause daily examination of the Congressional Record for the purpose of noting documents, reports, and other publications of interest to their Departments, and shall cause an immediate order to be sent to the Public Printer for the number of copies of such publications required for official use, not to exceed, however, the number of bureaus in the Department and divisions in the office of the head thereof. The Public Printer shall send to each Executive Department and to each executive office not connected with the Departments, as soon as printed, five copies of all bills and resolutions, except the State Department, to which shall be sent ten copies of bills and resolutions. When the head of a Department desires a greater number of any class of bills or resolutions for official use, they shall be furnished by the Public Printer on requisition promptly made. [28 Stat. L. 623.]

Departments
to order docu-
ments re-
quired; copies
of bills and res-
olutions to be
sent to Depart-
ments.

Act of January 12, 1895, ch. 23.

SEC. 91. The annual reports of executive officers shall be printed in the same type and form as the report of the head of the Department which it accompanies, unless otherwise ordered by the Joint Committee on Printing. [28 Stat. L. 623.]

Form and
type of reports
of officers.

Act of January 12, 1895, ch. 23.

SEC. 73. Extra copies of documents and reports shall be printed promptly when the same shall be ready for publication, and shall be bound in paper or cloth as directed by the Joint Committee on Printing, and shall be of the number following in addition to the usual number:

Extra copies
of documents;
printing and
binding.

The Annual Report of the Secretary of Agriculture shall hereafter be submitted and printed in two parts, as follows: Part one, which shall contain purely business and executive matter which it is necessary for the Secretary to submit to the President and Congress;

Annual re-
port of Secre-
tary of Agri-
culture; con-
tents, form, and
number of
copies.

"Yearbook"
of the Depart-
ment of Agri-
culture.

part two, which shall contain such reports from the different bureaus and divisions, and such papers prepared by their special agents, accompanied by suitable illustrations as shall, in the opinion of the Secretary, be specially suited to interest and instruct the farmers of the country, and to include a general report of the operations of the Department for their information. There shall be printed of part one, one thousand copies for the Senate, two thousand copies for the House, and three thousand copies for the Department of Agriculture; and of part two, one hundred and ten thousand copies for the use of the Senate, three hundred and sixty thousand copies for the use of the House of Representatives, and thirty thousand copies for the use of the Department of Agriculture, the illustrations for the same to be executed under the supervision of the Public Printer, in accordance with directions of the Joint Committee on Printing, said illustrations to be subject to the approval of the Secretary of Agriculture; and the title of each of the said parts shall be such as to show that such part is complete in itself: * * * [28 Stat. L. 612.]

Act of January 12, 1895, ch. 23.

[A provision restricting printing and binding to appropriations made specifically and solely therefor is contained in section 2, act of June 30, 1906, 34 Stat. L. 762 (see p. 45, *ante*).]

Printing and
binding for De-
partments; es-
timates and
requisitions.

SEC. 93. When any Department * * * shall require printing or binding to be done, it shall be on certificate that such work be necessary for the public service; whereupon the Public Printer shall furnish an estimate of the cost by the principal items for such printing or binding so called for, after which requisitions shall be made upon him therefor by the head of such Department, * * * and the Public Printer shall place the cost thereof to the debit of such Department in its annual appropriation for printing and binding. [28 Stat. L. 623.]

Act of January 12, 1895, ch. 23.

Printed mat-
ter to be au-
thorized by law
and necessary
to public busi-
ness; exclusion
of unnecessary
matter.

SEC. 94. No head of any Executive Department, or of any bureau, branch, or office of the Government, shall cause to be printed, nor shall the Public Printer print, any document or matter except that which is authorized by law and necessary to the public business; and executive officers, before transmitting their annual reports, shall carefully examine the same and all accompanying documents, and exclude therefrom all matter, including engravings, maps, drawings, and illustrations, except such as they shall certify in their letters transmitting such reports are necessary and relate entirely to the transaction of the public business. [28 Stat. L. 623.]

Act of January 12, 1895, ch. 23.

* * * That hereafter no part of the appropriations made for printing and binding shall be used for any illustration, engraving, or photograph in any document or report ordered printed by Congress unless the order to print expressly authorizes the same, nor in any document or report of any executive department or other Government establishment until the head of the executive department or Government establishment shall certify in a letter transmitting such report that the illustration is necessary and relates entirely to the transaction of public business. [33 Stat. L. 1213.]

Restriction on illustrations in documents and reports.

Sundry civil appropriation act of March 3, 1905, ch. 1483.

Hereafter no book or document not having to do with the ordinary business transactions of the Executive Departments shall be printed on the requisition of any Executive Department or unless the same shall have been expressly authorized by Congress. [33 Stat. L. 1249.]

Restriction on printing books by Departments.

Deficiency appropriation act of March 3, 1905, ch. 1484.

The Public Printer is authorized hereafter to procure and supply, on the requisition of the head of any Executive Department or other Government establishment, complete manifold blanks, books, and forms, required in duplicating processes; also complete patented devices with which to file money-order statements, or other uniform official papers, and to charge such supplies to the allotment for printing and binding of the Department or Government establishment requiring the same. [32 Stat. 481.]

Public Printer to furnish to Departments manifold blanks, etc., and filing devices.

Sundry civil appropriation act of June 28, 1902, ch. 1301.

* * * the superintendent of documents is hereby authorized to order reprinted, from time to time, such public documents as may be required for sale, such order for reprinting to be subject to the approval of the Secretary or head of the Department in which such public document shall have originated: *Provided*, That the appropriation for printing and binding shall be reimbursed for the cost of such reprints from the moneys received by the superintendent of documents from the sale of public documents. [33 Stat. L. 584.]

Reprinting of public documents for sale, subject to approval of head of Department.

Resolution of March 28, 1904, No. 11.

That hereafter, in the printing and binding of documents or reports emanating from the Executive Departments, bureaus, and independent offices of the Government, the cost of which is now charged to the allotment for printing and binding for Congress, or to appropriations or allotments of appropriations other than those made to the Executive Departments, bureaus, or independent offices of the Government, the cost of illustrations, composition, stereotyping, and other work involved in the actual

Printing and binding to be charged to appropriations of Departments where documents originate.

Departments
to obtain from
Public Printer
estimates of
cost of all pub-
lications re-
quired.

preparation for printing, apart from the creation of manuscript, shall be charged to the appropriation or allotment of appropriation for the printing and binding of the Department, bureau, or independent office of the Government in which such documents or reports originate; the balance of cost shall be charged to the allotment for printing and binding for Congress, and to the appropriation or allotment of appropriation of the Executive Department, bureau, or independent office of the Government, in proportion to the number delivered to each; the cost of any copies of such documents or reports distributed otherwise than through Congress, or the Executive Departments, bureaus, and independent offices of the Government, if such there be, shall be charged as heretofore: *Provided*, That on or before the first day of December in each fiscal year each Executive Department, bureau, or independent office of the Government to which an appropriation or allotment of appropriation for printing and binding is made, shall obtain from the Public Printer an estimate of the probable cost of all publications of such Department, bureau, or independent office now required by law to be printed, and so much thereof as would, under the terms of this resolution, be charged to the appropriation or allotment of appropriation of the Department, bureau, or independent office of the Government in which such publications originate, shall thereupon be set aside to be applied only to the printing and binding of such documents and reports, and shall not be available for any other purpose until all of such allotment of cost on account of such documents and reports shall have been fully paid.

This resolution shall be effective on and after July first, nineteen hundred and six. [34 Stat. L. 825.]

Resolution of March 30, 1906, No. 13.

Documents
may be printed
in two or more
editions.

That the Joint Committee on Printing is hereby authorized and directed to establish rules and regulations, from time to time, which shall be observed by the Public Printer, whereby public documents and reports printed for Congress, or either House thereof, may be printed in two or more editions, instead of one, to meet the public requirements: *Provided*, That in no case shall the aggregate of said editions exceed the number of copies now authorized or which may hereafter be authorized: *And provided further*, That the number of copies of any public document or report now authorized to be printed or which may hereafter be authorized to be printed for any of the Executive Departments, or bureaus or branches thereof, or independent offices of the Government may be supplied in two or more editions, instead of one, upon a requisition on the Public Printer by the official head of such Department or independent office, but in no case shall the aggregate of said editions exceed the number of copies now authorized, or which may hereafter be author-

ized: *Provided further*, That nothing herein shall operate to obstruct the printing of the full number of any document or report, or the allotment of the full quota to Senators and Representatives, as now authorized, or which may hereafter be authorized, when a legitimate demand for the full complement is known to exist. [34 Stat. L. 826.]

Resolution of March 30, 1906, No. 14.

SEC. 2. Par. 6. Either House may order the printing of a document not already provided for by existing law, but only when the same shall be accompanied by an estimate from the Public Printer as to the probable cost thereof. Any Executive Department, bureau, board, or independent office of the Government submitting reports or documents in response to inquiries from Congress shall submit therewith an estimate of the probable cost of printing to the usual number. Nothing in this paragraph relating to estimates shall apply to reports or documents not exceeding fifty pages. [34 Stat. L. 1013.]

Estimates required with order to print documents.

Act of March 1, 1907, ch. 2284, amending act of January 12, 1895, ch. 23, 25 Stat. L. 601.

SEC. 81. Par. 1. That publications ordered printed by Congress, or either House thereof, shall be in four series, * * * The publications in each series shall be consecutively numbered in the order in which they are received, the number of each series continuing in unbroken sequence throughout the entire term of a Congress; * * * If the publication so ordered be an annual report or serial publication originating in or prepared by an Executive Department, bureau, office, commission, or board, it shall not be numbered in the document or report series of either House of Congress, but shall be designated by title, as hereinafter provided. Of all Department reports required by law to be printed, the usual number shall be printed concurrently with the departmental edition. [34 Stat. L. 1013.]

Designation of Department reports, etc., printed by order of Congress.

Act of March 1, 1907, ch. 2284, amending act of January 12, 1895, ch. 23, 28 Stat. L. 621.

PROVISIONS APPLICABLE TO PARTICULAR BRANCHES OF THE DEPARTMENT.

WEATHER BUREAU.

Meteorological observations; storm signals. SEC. 221. The Secretary of War shall provide for taking meteorological observations at the military stations in the interior of the continent, and at other points in States and Territories, and for giving notice on northern lakes and sea-coast, by magnetic telegraph and marine signals, of the approach and force of storms. [R. S.]

Signal stations, reports, etc. SEC. 222. The Secretary of War shall provide, in a system of observations and reports in charge of the Chief Signal-Officer of the Army, for such stations, reports and signals as may be found necessary for the benefit of agriculture and commercial interests. [R. S.]

Telegraph lines connecting signal stations. SEC. 223. The Secretary of War is authorized to establish signal-stations at light-houses and at such of the life-saving stations on the lake or sea-coast as may be suitably located for that purpose, and to connect the same with such points as may be necessary for the prompt discharge of the signal-service by means of a suitable telegraph-line in cases where no lines are in operation to be constructed, maintained, and worked under the direction of the Chief Signal-Officer of the Army, or the Secretary of War and the Secretary of the Treasury; and the use of the life-saving stations as signal-stations shall be subject to such regulations as may be agreed upon by said officials. [R. S.]

[A proviso excepting maps, charts, bulletins, and reports of the Weather Bureau from certain limitations imposed upon the printing of other Government publications may be found on page 89, *ante*.]

[A proviso excepting the printing office of the Weather Bureau from the control of the Public Printer may be found on page 87, *ante*.]

Specific appropriation necessary for weather maps, etc. To pay * * * for making plates and publishing weather maps, * * * and hereafter none of such work shall be done except under specific appropriation therefor made in advance. [24 Stat. L. 266.]

Deficiency appropriation act of August 4, 1886, ch. 903.

* * * and the Secretary of War, as he may think proper, may cause to be issued such meteorological instruments (not exceeding one set valued at fifteen dollars to any one county) to voluntary unpaid observers, in order to secure meteorological data from such observers, under regulations to be prescribed by the Secretary of War, * * * [26 Stat. L. 398.]

Meteorological instruments may be issued.

Sundry civil appropriation act of August 30, 1890, ch. 837.

An act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture.

[Act of October 1, 1890, ch. 1260, 26 Stat. L. 653.]

That the civilian duties now performed by the Signal Corps of the Army shall hereafter devolve upon a bureau to be known as the Weather Bureau, which, on and after July first, eighteen hundred and ninety-one, shall be established in and attached to the Department of Agriculture, and the Signal Corps of the Army shall remain a part of the Military Establishment under the direction of the Secretary of War, and all estimates for its support shall be included with other estimates for the support of the Military Establishment. [26 Stat. L. 653.]

Civilian duties of Signal Corps transferred to Department of Agriculture.

SEC. 3. That the Chief of the Weather Bureau, under the direction of the Secretary of Agriculture, on and after July first, eighteen hundred and ninety-one, shall have charge of the forecasting of weather, the issue of storm warnings, the display of weather and flood signals for the benefit of agriculture, commerce, and navigation, the gauging and reporting of rivers, the maintenance and operation of sea-coast telegraph lines and the collection and transmission of marine intelligence for the benefit of commerce and navigation, the reporting of temperature and rain-fall conditions for the cotton interests, the display of frost and cold-wave signals, the distribution of meteorological information in the interests of agriculture and commerce, and the taking of such meteorological observations as may be necessary to establish and record the climatic conditions of the United States, or as are essential for the proper execution of the foregoing duties. [26 Stat. L. 653.]

Chief of Weather Bureau; duties.

SEC. 4. That the Weather Bureau shall hereafter consist of one Chief of Weather Bureau and such civilian employees as Congress may annually provide for and as may be necessary to properly perform the duties devolving on said bureau by law, and the chief of said bureau shall receive an annual compensation * * * and be appointed by the President, by and with the advice and consent of the Senate: * * * [26 Stat. L. 653.]

Force of Weather Bureau; compensation of Chief.

SEC. 5. That the enlisted force of the Signal Corps, excepting those hereinafter provided for, shall be honorably discharged from the Army on June thirtieth, eighteen hundred and ninety-one, and such portion of this entire

Transfer of force of Signal Service to Department of Agriculture.

force, including the civilian employees of the Signal Service, as may be necessary for the proper performance of the duties of the Weather Bureau shall, if they so elect, be transferred to the Department of Agriculture, and the compensation of the force so transferred shall continue as it shall be in the Signal Service on June thirtieth, eighteen hundred and ninety-one, until otherwise provided by law: *Provided*, That skilled observers serving in the Signal Service at said date shall be entitled to preference over other persons not in the Signal Service for appointment in the Weather Bureau to places for which they may be properly qualified until the expiration of the time for which they were last enlisted. [26 Stat. L. 653.]

* * * * *

Weather Bureau to be appropriated for with Department of Agriculture.

SEC. 9. That on and after July first, eighteen hundred and ninety-one, the appropriations for the support of the Signal Corps of the Army shall be made with those of other staff corps of the Army, and the appropriations for the support of the Weather Bureau shall be made with those of the other bureaus of the Department of Agriculture, and it shall be the duty of the Secretary of Agriculture to prepare future estimates for the Weather Bureau which shall be hereafter specially developed and extended in the interests of agriculture. [26 Stat. L. 654.]

Changes in force of Weather Bureau authorized.

* * * the Secretary is hereby authorized to make such changes or assignment to duty in the personnel or detailed force of the Weather Bureau for limiting or reducing expenses as he may deem necessary. * * * [28 Stat. L. 737.]

Agricultural appropriation act of March 2, 1895, ch. 169. Similar provisions appeared in the acts of August 8, 1894, ch. 238, 28 Stat. L. 273; March 3, 1893, ch. 214, 27 Stat. L. 742; July 5, 1892, ch. 147, 27 Stat. L. 81; March 3, 1891, ch. 544, 26 Stat. L. 1051.

Promotions in Weather Bureau authorized.

* * * Weather Bureau * * * and the Secretary is hereby authorized to make promotions in the service without prejudice to those transferred from the Signal Service of the War Department. * * * [28 Stat. L. 273.]

Agricultural appropriation act of August 8, 1894, ch. 238. Identical provisions appeared in the acts of March 3, 1893, ch. 214, 27 Stat. L. 742; July 5, 1892, ch. 147, 27 Stat. L. 82.

Weather signals on mail cars.

That the Secretary of Agriculture, in cooperation with the Postmaster-General, may arrange a plan by which there shall be displayed on all cars and other conveyances used for transporting United States mail, suitable flags or other signals to indicate weather forecasts, cold-wave

warnings, frost warnings, and so forth, to be furnished by the Chief of the Weather Bureau. [29 Stat. L. 108.]

Agricultural appropriation act of April 25, 1896, ch. 140.
Similar provisions appeared in acts of August 8, 1894, ch. 238, 28 Stat. L. 274; March 2, 1895, ch. 169, 28 Stat. L. 738.

That hereafter all telegrams pertaining to the business of the Weather Bureau may be destroyed after they are three years old, and the accounts based thereon have been settled by the Treasury Department; and the present accumulation of these old telegrams may be destroyed. [31 Stat. L. 204.]

Destruction of old telegrams authorized.

Agricultural appropriation act of May 25, 1900, ch. 555.

SEC. 73. Extra copies of documents and reports shall be printed promptly when the same shall be ready for publication, and shall be bound in paper or cloth as directed by the Joint Committee on Printing, and shall be of the number following in addition to the usual number: * * * Of the Annual Report of the Chief of the Weather Bureau, four thousand copies; one thousand copies for the Senate, two thousand copies for the House, and one thousand copies for the Bureau. [28 Stat. L. 612.]

Annual report of Chief of Weather Bureau; number of copies.

Act of January 12, 1895, ch. 23.

Any person who shall knowingly issue or publish any counterfeit weather forecasts or warnings of weather conditions, falsely representing such forecasts or warnings to have been issued or published by the Weather Bureau, or other branch of the Government service, or shall molest or interfere with any weather or storm flag or weather map or bulletin displayed or issued by the United States Weather Bureau, shall be deemed guilty of a misdemeanor, and on conviction thereof, for each offense, be fined in a sum not exceeding five hundred dollars, or be imprisoned not to exceed ninety days, or be both fined and imprisoned, in the discretion of the court. [33 Stat. L. 864.]

Counterfeiting forecasts, etc.; punishment.

Agricultural appropriation act of March 3, 1905, ch. 1405.
Similar provisions appear in the acts of April 25, 1896, ch. 140, 29 Stat. L. 108; March 2, 1895, ch. 169, 28 Stat. L. 737; August 8, 1894, ch. 238, 28 Stat. L. 274.

From the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256.

GENERAL EXPENSES, WEATHER BUREAU: Every expenditure requisite for and incident to the equipment and maintenance of meteorological observation stations in the United States, in the West Indies or on adjacent coasts, in the Hawaiian Islands, and in Bermuda, including the purchase of stationery, furniture, instruments, storm-warning towers, and all other necessary supplies and ma-

General expenses. Weather Bureau.

terials; for rents of offices; for traveling expenses; for freight and express charges; for telegraphing, telephoning, or cabling reports and messages, rates to be fixed by the Secretary of Agriculture by agreement with the companies performing the service; for maintenance and repair of Weather Bureau telegraph, telephone, and call lines; for investigations on climatology; for river, rain, snow, ice, crop, and aerial observations and reports; for storm, hurricane, and other observations, warnings, and reports; including pay of special observers and dispersons, none of whom shall receive more than twenty-five dollars per month; and including * * * for the maintenance of a printing office in the city of Washington including the purchase of necessary supplies and materials for printing weather maps, bulletins, circulars, forms, monthly reviews, and other publications, and the pay of assistant foremen, proof readers, compositors, pressmen, lithographers, and folders and feeders, when necessary; [34 Stat. L. 1258.]

Sale of maps
and publica-
tions.

and hereafter the Secretary of Agriculture is authorized to sell any surplus maps or publications of the Weather Bureau, and the money received from such sale shall be deposited in the Treasury of the United States in section two hundred and twenty-seven of the Revised Statutes notwithstanding; * * * [34 Stat. L. 1258.]

Fuel, lights,
and repairs,
etc., Weather
Bureau.

FUEL, LIGHTS, AND REPAIRS, WEATHER BUREAU: Fuel, lights, repairs, and other expenses for the care and preservation of the public buildings and grounds of the Weather Bureau in the city of Washington, * * * [34 Stat. L. 1258.]

Contingent
expenses,
Weather Bu-
reau.

CONTINGENT EXPENSES, WEATHER BUREAU: Stationery and blank books; furniture and repairs to same; freight and express charges; subsistence, care, and purchase of horses and vehicles for official purposes only; repairs to harness; advertising, dry goods, twine, mats, oils, paint, glass, lumber, hardware, ice, washing towels, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Weather Bureau in the city of Washington, * * * [34 Stat. L. 1258.]

Leaves of ab-
sence of em-
ployees of
Weather Bu-
reau outside of
Washington.

* * * and the employees of the Weather Bureau outside of the city of Washington, may hereafter, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leave of absence not to exceed fifteen days in any one year, which leave may in exceptional and meritorious cases when such an employee is ill, be extended in the discretion of the Secretary of Agriculture, not to exceed fifteen days additional in any one year; * * * [34 Stat. L. 1258.]

Similar provisions appeared in the acts for the previous years. (See 34 Stat. L. 672; 33 Stat. L. 863; 33 Stat. L. 271; 32 Stat. L. 1149; 32 Stat. L. 287; 31 Stat. L. 924; 31 Stat. L. 203; 30 Stat. L. 958; 30 Stat. L. 389; 30 Stat. L. 10.)

BUREAU OF ANIMAL INDUSTRY.

An act for the establishment of a Bureau of Animal Industry, to prevent the exportation of diseased cattle, and to provide means for the suppression and extirpation of pleuro-pneumonia and other contagious diseases among domestic animals.

[Act of May 29, 1884, ch. 60, 23 Stat. L. 31.]

That the Commissioner of Agriculture shall organize in his Department a Bureau of Animal Industry, and shall appoint a Chief thereof, who shall be a competent veterinary surgeon, and whose duty it shall be to investigate and report upon the condition of the domestic animals of the United States, their protection and use, and also inquire into and report the causes of contagious, infectious, and communicable diseases among them, and the means for the prevention and cure of the same, and to collect such information on these subjects as shall be valuable to the agricultural and commercial interests of the country; and the Commissioner of Agriculture is hereby authorized to employ a force sufficient for this purpose, not to exceed twenty persons at any one time. [23 Stat. L. 31.]

Bureau of
Animal Indus-
try established.

SEC. 2. That the Commissioner of Agriculture is authorized to appoint two competent agents, who shall be practical stock-raisers or experienced business men familiar with questions pertaining to commercial transactions in live stock, whose duty it shall be, under the instructions of the Commissioner of Agriculture, to examine and report upon the best methods of treating, transporting, and caring for animals, and the means to be adopted for the suppression and extirpation of contagious pleuro-pneumonia, and to provide against the spread of other dangerous contagious, infectious, and communicable diseases. The compensation of said agents shall be at the rate of ten dollars per diem, with all necessary expenses, while engaged in the actual performance of their duties under this act, when absent from their usual place of business or residence as such agent. [23 Stat. L. 31.]

Agents; du-
ties and com-
pensation.

The designation of the number and compensation of persons authorized in the two preceding sections is now ineffective as being obsolete.

SEC. 3. That it shall be the duty of the Commissioner of Agriculture to prepare such rules and regulations as he may deem necessary for the speedy and effectual suppression and extirpation of said diseases, and to certify such rules and regulations to the executive authority of each State and Territory, and invite said authorities to co-operate in the execution and enforcement of this act. Whenever the plans and methods of the Commissioner of Agriculture shall be accepted by any State or Territory in which pleuro-pneumonia or other contagious, infectious, or communicable disease is declared to exist,

Rules and
regulations for
suppression of
diseases; co-
operation of
States and Ter-
ritories.

LAWS APPLICABLE TO DEPARTMENT OF AGRICULTURE.

or such State or Territory shall have adopted plans and methods for the suppression and extirpation of said diseases, and such plans and methods shall be accepted by the Commissioner of Agriculture, and whenever the governor of a State or other properly constituted authorities signify their readiness to co-operate for the extinction of any contagious, infectious, or communicable disease in conformity with the provisions of this act, the Commissioner of Agriculture is hereby authorized to expend so much of the money appropriated by this act as may be necessary in such investigations, and in such disinfection and quarantine measures as may be necessary to prevent the spread of the disease from one State or Territory into another. [23 Stat. L. 32.]

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SEC. 4. That in order to promote the exportation of live stock from the United States the Commissioner of Agriculture shall make special investigation as to the existence of pleuro-pneumonia, or any contagious, infectious, or communicable disease, along the dividing-lines between the United States and foreign countries, and along the lines of transportation from all parts of the United States to ports from which live stock are exported, and make report of the results of such investigation to the Secretary of the Treasury, who shall, from time to time, establish such regulations concerning the exportation and transportation of live stock as the results of said investigations may require. [23 Stat. L. 32.]

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SEC. 5. That to prevent the exportation from any port of the United States to any port in a foreign country of live stock affected with any contagious, infectious, or communicable disease, and especially pleuro-pneumonia, the Secretary of the Treasury be, and he is hereby, authorized to take such steps and adopt such measures, not inconsistent with the provisions of this act, as he may deem necessary. [23 Stat. L. 32.]

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SEC. 6. That no railroad company within the United States, or the owners or masters of any steam or sailing or other vessel or boat, shall receive for transportation or transport, from one State or Territory to another, or from any State into the District of Columbia, or from the District into any State, any live stock affected with any contagious, infectious, or communicable disease, and especially the disease known as pleuro-pneumonia; nor shall any person, company, or corporation deliver for such transportation to any railroad company, or master or owner of any boat or vessel, any live stock, knowing them to be affected with any contagious, infectious, or communicable disease; nor shall any person, company, or corporation drive on foot or transport in private conveyance from one State or Territory to another, or from any State into the District of Columbia, or from the District into any State, any live stock, knowing them to be affected with any contagious, infectious, or communicable disease, and especially the disease known as pleuro-pneumonia:

Provided, That the so-called splenetic or Texas fever shall not be considered a contagious, infectious, or communicable disease within the meaning of sections four, five, six and seven of this act, as to cattle being transported by rail to market for slaughter, when the same are unloaded only to be fed and watered in lots on the way thereto. [23 Stat. L. 32.]

SEC. 7. That it shall be the duty of the Commissioner of Agriculture to notify, in writing, the proper officials or agents of any railroad, steamboat, or other transportation company doing business in or through any infected locality, and by publication in such newspapers as he may select, of the existence of said contagion; and any person or persons operating any such railroad, or master or owner of any boat or vessel, or owner or custodian of or person having control over such cattle or other live stock within such infected district, who shall knowingly violate the provisions of section six of this act, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than one hundred nor more than five thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment. [23 Stat. L. 32.]

Notice to
railroads, etc.,
in infected lo-
cality; trans-
portation of
diseased live
stock; penalty.

SEC. 8. That whenever any contagious, infectious, or communicable disease affecting domestic animals, and especially the disease known as pleuro-pneumonia, shall be brought into or shall break out in the District of Columbia, it shall be the duty of the Commissioners of said District to take measures to suppress the same promptly and to prevent the same from spreading; and for this purpose the said Commissioners are hereby empowered to order and require that any premises, farm, or farms, where such disease exists, or has existed, be put in quarantine; to order all or any animals coming into the District to be detained at any place or places for the purpose of inspection and examination; to prescribe regulations for and to require the destruction of animals affected with contagious, infectious, or communicable disease, and for the proper disposition of their hides and carcasses; to prescribe regulations for disinfection, and such other regulations as they may deem necessary to prevent infection or contagion being communicated, and shall report to the Commissioner of Agriculture whatever they may do in pursuance of the provisions of this section. [23 Stat. L. 33.]

Suppression
of pleuro-pneu-
monia and
other diseases
in District of
Columbia.

SEC. 9. That it shall be the duty of the several United States district attorneys to prosecute all violations of this act which shall be brought to their notice or knowledge by any person making the complaint under oath; and the same shall be heard before any district or circuit court of the United State[s] or Territorial court holden within the district in which the violation of this act has been committed. [23 Stat. L. 33.]

Duty of dis-
trict attorneys
to prosecute
violations.

Section 10, setting aside an appropriation to make effective the provisions of the law, is superseded by later appropriations.

Annual re-
port to Con-
gress of em-
ployees, expen-
ditures, etc.

SEC. 11. That the Commissioner of Agriculture shall report annually to Congress, at the commencement of each session, a list of the names of all persons employed, an itemized statement of all expenditures under this act, and full particulars of the means adopted and carried into effect for the suppression of contagious, infectious, or communicable diseases among domestic animals. [23 Stat. L. 33.]

An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes.

[Act of August 30, 1890, ch. 839, 26 Stat. L. 414.]

Inspection of
salt pork and
bacon for ex-
port; inspect-
or's certificate
and identifica-
tion marks;
forgery; pen-
alty.

That the Secretary of Agriculture may cause to be made a careful inspection of salted pork and bacon intended for exportation, with a view to determining whether the same is wholesome, sound, and fit for human food whenever the laws, regulations, or orders of the Government of any foreign country to which such pork or bacon is to be exported shall require inspection thereof relating to the importation thereof into such country, and also whenever any buyer, seller, or exporter of such meats intended for exportation shall request the inspection thereof.

Such inspection shall be made at the place where such meats are packed or boxed, and each package of such meats so inspected shall bear the marks, stamps, or other device for identification provided for in the last clause of this section: *Provided*, That an inspection of such meats may also be made at the place of exportation if an inspection has not been made at the place of packing, or if, in the opinion of the Secretary of Agriculture, a re-inspection becomes necessary. One copy of any certificate issued by any such inspector shall be filed in the Department of Agriculture; another copy shall be attached to the invoice of each separate shipment of such meat, and a third copy shall be delivered to the consignor or shipper of such meat as evidence that packages of salted pork and bacon have been inspected in accordance with the provisions of this act and found to be wholesome, sound, and fit for human food; and for the identification of the same such marks, stamps, or other devices as the Secretary of Agriculture may by regulation prescribe shall be affixed to each of such packages. [26 Stat. L. 414.]

Any person who shall forge, counterfeit, or knowingly and wrongfully alter, deface, or destroy any of the marks, stamps, or other devices provided for in this section on any package of any such meats, or who shall forge, counterfeit, or knowingly and wrongfully alter, deface, or destroy any certificate in reference to meats provided for in this section, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one thousand dollars or imprisonment not exceed-

ing one year, or by both said punishments, in the discretion of the court. [26 Stat. L. 415.]

[Sections 2 to 5, inclusive, here omitted, prohibit the importation of adulterated articles of food or drink; see "Bureau of Chemistry," p. 165, *post*.]

SEC. 6. That the importation of neat cattle, sheep, and other ruminants, and swine, which are diseased or infected with any disease, or which shall have been exposed to such infection within sixty days next before their exportation, is hereby prohibited; and any person who shall knowingly violate the foregoing provision shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding five thousand dollars, or by imprisonment not exceeding three years, and any vessel or vehicle used in such unlawful importation with the knowledge of the master or owner of said vessel or vehicle that such importation is diseased or has been exposed to infection as herein described, shall be forfeited to the United States. [26 Stat. L. 416.]

Importation
of diseased,
etc., cattle,
etc., prohib-
ed; penalty.

SEC. 7. That the Secretary of Agriculture be, and is hereby, authorized, at the expense of the owner, to place and retain in quarantine all neat cattle, sheep, and other ruminants, and all swine, imported into the United States, at such ports as he may designate for such purpose, and under such conditions as he may by regulation prescribe, respectively, for the several classes of animals above described; and for this purpose he may have and maintain possession of all lands, buildings, animals, tools, fixtures, and appurtenances now in use for the quarantine of neat cattle, and hereafter purchase, construct, or rent as may be necessary, and he may appoint veterinary surgeons, inspectors, officers, and employees by him deemed necessary to maintain such quarantine, and provide for the execution of the other provisions of this act. [26 Stat. L. 416.]

Quarantine
of imported
cattle, etc.

SEC. 8. That the importation of all animals described in this act into any port in the United States, except such as may be designated by the Secretary of Agriculture, with the approval of the Secretary of the Treasury, as quarantine stations, is hereby prohibited; and the Secretary of Agriculture may cause to be slaughtered such of the animals named in this act as may be, under regulations prescribed by him, adjudged to be infected with any contagious disease, or to have been exposed to infection so as to be dangerous to other animals; and that the value of animals so slaughtered as being so exposed to infection but not infected may be ascertained by the agreement of the Secretary of Agriculture and owners thereof, if practicable; otherwise, by the appraisal by two persons familiar with the character and value of such property, to be appointed by the Secretary of Agriculture, whose decision, if they agree, shall be final; otherwise, the Secre-

Importation
of diseased cat-
tle, etc., except
at quarantine
ports, prohib-
ed; slaughter
of infected ani-
mals; apprais-
al; payment.

tary of Agriculture shall decide between them, and his decision shall be final; and the amount of the value thus ascertained shall be paid to the owner thereof out of money in the Treasury appropriated for the use of the Bureau of Animal Industry; but no payment shall be made for any animal imported in violation of the provisions of this act. If any animal[s] subject to quarantine according to the provisions of this act are brought into any port of the United States where no quarantine station is established the collector of such port shall require the same to be conveyed by the vessel on which they are imported or are found to the nearest quarantine station, at the expense of the owner. [26 Stat. L. 416.]

Suspension
of importation
of all animals.

Sec. 9. That whenever, in the opinion of the President, it shall be necessary for the protection of animals in the United States against infectious or contagious diseases, he may, by proclamation, suspend the importation of all or any class of animals for a limited time, and may change, modify, revoke, or renew such proclamation, as the public good may require; and during the time of such suspension the importation of any such animals shall be unlawful. [26 Stat. L. 416.]

Inspection
of animals
imported or in-
tended for ex-
port; quaran-
tine; disinsec-
tion.

Sec. 10. That the Secretary of Agriculture shall cause careful inspection to be made by a suitable officer of all imported animals described in this act, to ascertain whether such animals are infected with contagious diseases or have been exposed to infection so as to be dangerous to other animals, which shall then either be placed in quarantine or dealt with according to the regulations of the Secretary of Agriculture; and all food, litter, manure, clothing, utensils, and other appliances that have been so related to such animals on board ship as to be judged liable to convey infection shall be dealt with according to the regulations of the Secretary of Agriculture; and the Secretary of Agriculture may cause inspection to be made of all animals described in this act intended for exportation, and provide for the disinfection of all vessels engaged in the transportation thereof, and of all barges or other vessels used in the conveyance of such animals intended for export to the ocean steamer or other vessels, and of all attendants and their clothing, and of all head-ropes and other appliances used in such exportation, by such orders and regulations as he may prescribe; and if, upon such inspection, any such animals shall be adjudged, under the regulations of the Secretary of Agriculture, to be infected or to have been exposed to infection so as to be dangerous to other animals, they shall not be allowed to be placed upon any vessel for exportation; the expense of all the inspection and disinfection provided for in this section to be borne by the owners of the vessels on which such animals are exported. [26 Stat. L. 417.]

An act to provide for the inspection of live cattle, hogs, and the carcasses and products thereof which are the subjects of interstate commerce, and for other purposes.

[Act of March 3, 1891, ch. 555, 26 Stat. L. 1089.]

That the Secretary of Agriculture shall cause to be made a careful inspection of all cattle intended for export to foreign countries from the United States, at such times and places, and in such manner, as he may think proper, with a view to ascertain whether such cattle are free from disease; and for this purpose he may appoint inspectors, who shall be authorized to give an official certificate clearly stating the condition in which such animals are found, and no clearance shall be given to any vessel having on board cattle for exportation to a foreign country unless the owner or shipper of such cattle has a certificate from the inspector herein authorized to be appointed, stating that said cattle are sound and free from disease. [26 Stat. L. 1089.]

Inspection of cattle for export; inspector's certificate.

SEC. 2. That the Secretary of Agriculture shall also cause to be made a careful inspection of all live cattle, the meat of which, fresh, salted, canned, corned, packed, cured, or otherwise prepared, is intended for exportation to any foreign country, at such times and places, and in such manner as he may think proper, with a view to ascertain whether said cattle are free from disease, and their meat sound and wholesome, and may appoint inspectors who shall be authorized to give an official certificate clearly stating the condition in which such cattle and meat are found, and no clearance shall be given to any vessel having on board any fresh, salted, canned, corned, or packed beef being the meat of cattle killed after the passage of this Act for exportation to and sale in a foreign country from any port of the United States until the owner or shipper shall obtain from an inspector appointed under the provisions of this Act a certificate that said cattle were free from disease and that their meat is sound and wholesome. [28 Stat. L. 732.]

Inspection of cattle whose meat is for export; inspector's certificate.

Section 2 is amended to read as above by the agricultural appropriation act of March 2, 1895, ch. 169.

SEC. 3. The Secretary of Agriculture shall cause to be inspected prior to their slaughter, all cattle, sheep, and hogs which are subjects of interstate commerce and which are about to be slaughtered at slaughter-houses, canning, salting, packing or rendering establishments in any State or Territory, the carcasses or products of which are to be transported and sold for human consumption in any other State or Territory, or the District of Columbia, and in addition to the aforesaid inspection, there may be made in all cases where the Secretary of Agriculture may deem necessary or expedient, under rules and regulations to be by him prescribed, a post mortum examination of the carcasses of all cattle, sheep and hogs about to be prepared for human consumption at any slaughter-house,

Inspection of cattle, etc., whose meat is intended for interstate commerce.

LAWS APPLICABLE TO DEPARTMENT OF AGRICULTURE.

canning, salting, packing or rendering establishment in any State or Territory, or the District of Columbia which are the subjects of interstate commerce. [26 Stat. L. 1090.]

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SEC. 4. That said examination shall be made in the manner provided by rules and regulations to be prescribed by the Secretary of Agriculture, and after said examination the carcasses and products of all cattle, sheep, and swine found to be free of disease and wholesome, sound, and fit for human food shall be marked, stamped, or labeled for identification as may be provided by said rules and regulations of the Secretary of Agriculture. Any person who shall forge, counterfeit, simulate, imitate, falsely represent, or use without authority, or knowingly and wrongfully alter, deface, or destroy any of the marks, stamps, or other devices provided for in the regulations of the Secretary of Agriculture, of any such carcasses or their products, or who shall forge, counterfeit, simulate, imitate, falsely represent, or use without authority, or knowingly and wrongfully alter, deface, or destroy any certificate or stamp provided in said regulations, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or by both said punishments, in the discretion of the court. [28 Stat. L. 732.]

Section 4 is amended to read as above by the agricultural appropriation act of March 2, 1895, ch. 169.

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SEC. 5. That it shall be unlawful for any person to transport from one State or Territory or the District of Columbia into any other State or Territory or the District of Columbia, or for any person to deliver to another for transportation from one State or Territory or the District of Columbia into another State or Territory or the District of Columbia the carcasses of any cattle, sheep, or swine, or the food products thereof, which have been examined in accordance with the provisions of sections three and four of this act, and which on said examination have been declared by the inspector making the same to be unsound or diseased. Any persons violating the provisions of this section shall be deemed guilty of a misdemeanor and punished for each offense as provided in section four of this act. [26 Stat. L. 1090.]

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SEC. 6. That the inspectors provided for in sections one and two of this act shall be authorized to give official certificates of the sound and wholesome condition of the cattle, sheep, and swine, their carcasses and products described in sections three and four of this act, and one copy of every certificate granted under the provisions of this act shall be filed in the Department of Agriculture, another copy shall be delivered to the owner or shipper, and when the cattle, sheep, and swine, or their carcasses and products are sent abroad, a third copy shall be delivered

to the chief officer of the vessel on which the shipment shall be made. [26 Stat. L. 1090.]

Sec. 7. That none of the provisions of this act shall be so construed as to apply to any cattle, sheep, or swine slaughtered by any farmer upon his farm, which may be transported from one State or Territory or the District of Columbia into another State or Territory or the District of Columbia: *Provided, however,* That if the carcasses of such cattle, sheep, or swine go to any packing or canning establishment and are intended for transportation to any other State or Territory or the District of Columbia as hereinbefore provided, they shall there be subject to the post mortem examination provided for in sections three and four of this act. [26 Stat. L. 1091.]

Act not to apply to cattle, etc., slaughtered by farmers.

That whenever the Secretary of Agriculture shall certify to the President of the United States what countries or parts of countries are free from contagious or infectious diseases of domestic animals, and that neat cattle, domestic animals, and hides can be imported from such countries without danger to the domestic animals of the United States, the President of the United States may suspend the prohibition of the importation of neat cattle, domestic animals, and hides in the manner provided by law. That the President be, and he is hereby, authorized to cause correspondence and negotiation to be had, through the Department of State or otherwise, with the authorities of the Kingdom of Great Britain for the purpose of securing the abrogation or modification of the regulations now enforced by said authorities which require cattle imported into Great Britain from the United States of America to be slaughtered at the port of entry, and prohibiting the same from being carried alive to other places in said Kingdom.

Certifying countries free from animal diseases.

That the Secretary of Agriculture shall determine and certify to the Secretary of the Treasury what are recognized breeds and pure-bred animals, under the provisions of paragraph three hundred and seventy-three of the tariff Act of eighteen hundred and ninety-four. [30 Stat. L. 7.]

Certifying pure-bred animals.

Agricultural appropriation act of April 23, 1897, ch. 1. Similar provisions were enacted in previous appropriation acts; see 29 Stat. L. 106; 28 Stat. L. 733; 28 Stat. L. 269; 27 Stat. L. 740; 27 Stat. L. 80.

Sec. 25. That the importation of neat cattle and the hides of neat cattle from any foreign country into the United States is prohibited: *Provided,* That the operation of this section shall be suspended as to any foreign country or countries, or any parts of such country or countries, whenever the Secretary of the Treasury shall officially determine, and give public notice thereof that such importation will not tend to the introduction or

Importation of neat cattle prohibited; admission in absence of disease.

spread of contagious or infectious diseases among the cattle of the United States; and the Secretary of the Treasury is hereby authorized and empowered, and it shall be his duty, to make all necessary orders and regulations to carry this section into effect, or to suspend the same as herein provided, and to send copies thereof to the proper officers in the United States, and to such officers or agents of the United States in foreign countries as he shall judge necessary. [30 Stat. L. 210.]

Violation :
penalty.

SEC. 26. That any person convicted of a willful violation of any of the provisions of the preceding section shall be fined not exceeding five hundred dollars, or imprisoned not exceeding one year, or both, in the discretion of the court. [30 Stat. L. 210.]

Tariff act of July 24, 1897, ch. 11. Similar provisions appear in earlier tariff acts.

Pure-bred and
registered ani-
mals for breed-
ing purposes
imported free.

SEC. 2. On and after the first day of August, eighteen hundred and ninety-four, unless otherwise provided for in this Act, the following articles, when imported, shall be exempt from duty: * * *

373. Any animal imported specially for breeding purposes shall be admitted free: *Provided*, That no such animal shall be admitted free unless pure bred of a recognized breed, and duly registered in the book of record established for that breed, * * * [28 Stat. L. 536.]

Tariff act of August 27, 1894, ch. 349.

Animals for
breeding pur-
poses imported
free: pure-bred
and registered;
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473. Any animal imported by a citizen of the United States specially for breeding purposes shall be admitted free, whether intended to be so used by the importer himself or for sale for such purpose: *Provided*, That no such animal shall be admitted free unless pure bred of a recognized breed, and duly registered in the books of record established for that breed: *And provided further*, That certificate of such record and of the pedigree of such animal shall be produced and submitted to the customs officer, duly authenticated by the proper custodian of such book of record, together with the affidavit of the owner, agent, or importer that such animal is the identical animal described in said certificate of record and pedigree: *And provided further*, That the Secretary of Agriculture shall determine and certify to the Secretary of the Treasury what are recognized breeds and pure-bred animals under the provisions of this paragraph. The Secretary of the Treasury may prescribe such additional regulations as may be required for the strict enforcement of this provision. Cattle, horses, sheep, or other domestic animals straying across the boundary line into any foreign country, or driven across such boundary line by the owner for temporary pasturage purposes only, together with their offspring, may be brought back to the United States within six months free of duty, under regulations

to be prescribed by the Secretary of the Treasury: *And provided further*, That the provisions of this Act shall apply to all such animals as have been imported and are in quarantine, or otherwise in the custody of custom or other officers of the United States, at the date of the passage of this Act. [32 Stat. L. 1023.]

Act of March 3, 1903, ch. 998, entitled "An act regulating the importation of breeding animals."

SEC. 5. All parts of an Act providing for an inspection of meats for exportation, approved August thirtieth, eighteen hundred and ninety, and of an Act to provide for the inspection of live cattle, hogs, and the carcasses and products thereof which are the subjects of interstate commerce, approved March third, eighteen hundred and ninety-one, and of amendment thereto approved March second, eighteen hundred and ninety-five, which are applicable to the subjects and purposes described in this section shall apply to process or renovated butter. And the Secretary of Agriculture is hereby authorized and required to cause a rigid sanitary inspection to be made, at such times as he may deem proper or necessary, of all factories and storehouses where process or renovated butter is manufactured, packed, or prepared for market, and of the products thereof and materials going into the manufacture of the same. All process or renovated butter and the packages containing the same shall be marked with the words "Renovated Butter" or "Process Butter" and by such other marks, labels, or brands and in such manner as may be prescribed by the Secretary of Agriculture, and no process or renovated butter shall be shipped or transported from its place of manufacture into any other State or Territory or the District of Columbia, or to any foreign country, until it has been marked as provided in this section. The Secretary of Agriculture shall make all needful regulations for carrying this section into effect, and shall cause to be ascertained and reported from time to time the quantity and quality of process or renovated butter manufactured, and the character and the condition of the material from which it is made. And he shall also have power to ascertain whether or not materials used in the manufacture of said process or renovated butter are deleterious to health or unwholesome in the finished product, and in case such deleterious or unwholesome materials are found to be used in product intended for exportation or shipment into other States or in course of exportation or shipment he shall have power to confiscate the same. Any person, firm, or corporation violating any of the provisions of this section shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars or by imprisonment not less than one

Inspection of meats extended to process butter; inspection of factories; marking of packages; regulations; use of deleterious or unwholesome materials; penalty.

month nor more than six months, or by both said punishments, in the discretion of the court. [32 Stat. L. 196.]

SEC. 7. This Act shall take effect on the first day of July, nineteen hundred and two. [32 Stat. L. 197.]

Act of May 9, 1902, ch. 784.

An Act To prevent a false branding or marking of food and dairy products as to the State or Territory in which they are made or produced.

[Act of July 1, 1902, ch. 1357, 32 Stat. L. 632.]

False labeling of dairy or food products, as to place of origin, prohibited.

That no person or persons, company or corporation, shall introduce into any State or Territory of the United States or the District of Columbia from any other State or Territory of the United States or the District of Columbia, or sell in the District of Columbia or in any Territory any dairy or food products which shall be falsely labeled or branded as to the State or Territory in which they are made, produced, or grown, or cause or procure the same to be done by others. [32 Stat. L. 632.]

Penalty for violation.

SEC. 2. That if any person or persons violate the provisions of this Act, either in person or through another, he shall be guilty of a misdemeanor and shall be punished by a fine of not less than five hundred nor more than two thousand dollars; and that the jurisdiction for the prosecution of said misdemeanor shall be within the district of the United States court in which it is committed. [32 Stat. L. 632.]

An Act To enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of live stock, and for other purposes.

[Act of February 2, 1903, ch. 349, 32 Stat. L. 791.]

Regulation of exportation and transportation of infected live stock by Secretary of Agriculture; transportation after inspection; fees; supervision of Bureau of Animal Industry.

That in order to enable the Secretary of Agriculture to effectually suppress and extirpate contagious pleuropneumonia, foot and mouth disease, and other dangerous contagious, infectious, and communicable diseases in cattle and other live stock, and to prevent the spread of such diseases, the powers conferred on the Secretary of the Treasury by sections four and five of an Act entitled "An Act for the establishment of a Bureau of Animal Industry, to prevent the exportation of diseased cattle, and to provide means for the suppression and extirpation of pleuropneumonia and other contagious diseases among domestic animals," approved May twenty-ninth, eighteen hundred and eighty-four (twenty-third United States Statutes, thirty-one), are hereby conferred on the Secretary of Agriculture, to be exercised exclusively by him. He is hereby authorized and directed, from time to time, to establish such rules and regulations concerning the exportation and transportation of live stock from any place within the United States where he may have reason to believe such diseases may exist into and through any State or Territory, including the Indian Territory, and into and through the District of Columbia and to foreign countries, as he may deem necessary, and all such rules and regulations shall have the

force of law. Whenever any inspector or assistant inspector of the Bureau of Animal Industry shall issue a certificate showing that such officer had inspected any cattle or other live stock which were about to be shipped, driven, or transported from such locality to another, as above stated, and had found them free from Texas or splenic fever infection, pleuropneumonia, foot and mouth disease, or any other infectious, contagious, or communicable disease, such animals, so inspected and certified, may be shipped, driven, or transported from such place into and through any State or Territory, including the Indian Territory, and into and through the District of Columbia, or they may be exported from the United States without further inspection or the exaction of fees of any kind, except such as may at any time be ordered or exacted by the Secretary of Agriculture; and all such animals shall at all times be under the control and supervision of the Bureau of Animal Industry of the Agricultural Department for the purposes of such inspection. [32 Stat. L. 791.]

Sec. 2. That the Secretary of Agriculture shall have authority to make such regulations and take such measures as he may deem proper to prevent the introduction or dissemination of the contagion of any contagious, infectious, or communicable disease of animals from a foreign country into the United States or from one State or Territory of the United States or the District of Columbia to another, and to seize, quarantine, and dispose of any hay, straw, forage, or similar material, or any meats, hides, or other animal products coming from an infected foreign country to the United States, or from one State or Territory or the District of Columbia in transit to another State or Territory or the District of Columbia whenever in his judgment such action is advisable in order to guard against the introduction or spread of such contagion. [32 Stat. L. 792.]

Regulations
to prevent con-
tagious, etc.,
diseases among
live stock.

Sec. 3. That any person, company, or corporation knowingly violating the provisions of this Act or the orders or regulations made in pursuance thereof shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment not more than one year, or by both such fine and imprisonment. [32 Stat. L. 792.]

Violation;
penalty.

An Act To enable the Secretary of Agriculture to establish and maintain quarantine districts, to permit and regulate the movement of cattle and other live stock therefrom, and for other purposes.

[Act of March 3, 1905, ch. 1496, 33 Stat. L. 1264.]

That the Secretary of Agriculture is authorized and directed to quarantine any State or Territory or the District of Columbia, or any portion of any State or Territory or the District of Columbia, when he shall determine the fact that cattle or other live stock in such State or Territory or District of Columbia are affected with any

Establish-
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quarantine, au-
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tice to rail-
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contagious, infectious, or communicable disease; and the Secretary of Agriculture is directed to give written or printed notice of the establishment of quarantine to the proper officers of railroad, steamboat, or other transportation companies doing business in or through any quarantined State or Territory or the District of Columbia, and to publish in such newspapers in the quarantined State or Territory or the District of Columbia, as the Secretary of Agriculture may select, notice of the establishment of quarantine. [34 Stat. L. 1264.]

Transportation or delivery therefor, of live stock, from quarantined districts, prohibited.

SEC. 2. That no railroad company or the owners or masters of any steam or sailing or other vessel or boat shall receive for transportation or transport from any quarantined State or Territory or the District of Columbia, or from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia, any cattle or other live stock, except as hereinafter provided; nor shall any person, company, or corporation deliver for such transportation to any railroad company, or to the master or owner of any boat or vessel, any cattle or other live stock, except as hereinafter provided; nor shall any person, company, or corporation drive on foot, or cause to be driven on foot, or transport in private conveyance or cause to be transported in private conveyance, from a quarantined State or Territory or the District of Columbia, or from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia, any cattle or other live stock, except as hereinafter provided. [33 Stat. L. 1264.]

Regulations for inspection, disinfection, certification, etc., of live stock from quarantined districts.

SEC. 3. That it shall be the duty of the Secretary of Agriculture, and he is hereby authorized and directed, when the public safety will permit, to make and promulgate rules and regulations which shall permit and govern the inspection, disinfection, certification, treatment, handling, and method and manner of delivery and shipment of cattle or other live stock from a quarantined State or Territory or the District of Columbia, and from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia; and the Secretary of Agriculture shall give notice of such rules and regulations in the manner provided in section two of this Act for notice of establishment of quarantine. [33 Stat. L. 1265.]

Moving live stock from quarantined districts under regulations therefor.

SEC. 4. That cattle or other live stock may be moved from a quarantined State or Territory or the District of Columbia, or from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia, under and in compliance with the rules and regulations of the Secretary of Agriculture, made and promulgated in pursuance of the provisions of section three of this Act; but it shall be unlawful to move, or to allow to be moved, any

cattle or other live stock from any quarantined State or Territory or the District of Columbia, or from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia, in manner or method or under conditions other than those prescribed by the Secretary of Agriculture. [33 Stat. L. 1265.]

SEC. 5. That every person who forcibly assaults, resists, opposes, prevents, impedes, or interferes with any officer or employee of the Bureau of Animal Industry of the United States Department of Agriculture in the execution of his duties, or on account of the execution of his duties, shall be fined not less than one hundred dollars nor more than one thousand dollars, or be imprisoned not less than one month nor more than one year, or by both such fine and imprisonment; and every person who discharges any deadly weapon at any officer or employee of the Bureau of Animal Industry of the United States Department of Agriculture, or, uses any dangerous or deadly weapon in resisting him in the execution of his duties, with intent to commit a bodily injury upon him or to deter or prevent him from discharging his duties, or on account of the performance of his duties, shall, upon conviction, be imprisoned at hard labor for a term not more than five years or fined not to exceed one thousand dollars. [33 Stat. L. 1265.]

Interfering with, resisting, assaulting, etc., officer or employee of Bureau of Animal Industry in execution of duties; penalty.

SEC. 6. That any person, company, or corporation violating the provisions of sections two or four of this Act shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment not more than one year, or by both such fine and imprisonment. [33 Stat. L. 1265.]

Punishment for illegally transporting live stock.

An Act To prevent cruelty to animals while in transit by railroad or other means of transportation from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, and repealing sections forty-three hundred and eighty-six, forty-three hundred and eighty-seven, forty-three hundred and eighty-eight, forty-three hundred and eighty-nine, and forty-three hundred and ninety of the United States Revised Statutes.

[Act of June 29, 1906, ch. 3594, 34 Stat. L. 607.]

That no railroad, express company, car company, common carrier other than by water, or the receiver, trustee, or lessee of any of them, whose road forms any part of a line of road over which cattle, sheep, swine, or other animals shall be conveyed from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, or the owners or masters of steam, sailing, or other vessels carrying or transporting cattle, sheep, swine, or other animals from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, shall confine the same in cars, boats, or vessels of any description for a period longer than twenty-eight con-

Time limit for confinement on cars or vessels, of animals during transportation; extension of time by written request; time of unloading and loading not included; sheep.

secutive hours without unloading the same in a humane manner, into properly equipped pens for rest, water, and feeding, for a period of at least five consecutive hours, unless prevented by storm or by other accidental or unavoidable causes which can not be anticipated or avoided by the exercise of due diligence and foresight: *Provided*, That upon the written request of the owner or person in custody of that particular shipment, which written request shall be separate and apart from any printed bill of lading, or other railroad form, the time of confinement may be extended to thirty-six hours. In estimating such confinement, the time consumed in loading and unloading shall not be considered, but the time during which the animals have been confined without such rest or food or water on connecting roads shall be included, it being the intent of this Act to prohibit their continuous confinement beyond the period of twenty-eight hours, except upon the contingencies hereinbefore stated: *Provided*, That it shall not be required that sheep be unloaded in the nighttime, but where the time expires in the nighttime in case of sheep the same may continue in transit to a suitable place for unloading, subject to the aforesaid limitation of thirty-six hours. [34 Stat. L. 607.]

Feeding animals at expense of owner; lien of carrier for food, care, etc.

SEC. 2. That animals so unloaded shall be properly fed and watered during such rest either by the owner or person having the custody thereof, or in case of his default in so doing, then by the railroad, express company, car company, common carrier other than by water, or the receiver, trustee, or lessee of any of them, or by the owners or masters of boats or vessels transporting the same, at the reasonable expense of the owner or person in custody thereof, and such railroad, express company, car company, common carrier other than by water, receiver, trustee, or lessee of any of them, owners or masters, shall in such case have a lien upon such animals for food, care, and custody furnished, collectible at their destination in the same manner as the transportation charges are collected, and shall not be liable for any detention of such animals, when such detention is of reasonable duration, to enable compliance with section one of this Act; but nothing in this section shall be construed to prevent the owner or shipper of animals from furnishing food therefor, if he so desires. [34 Stat. L. 608.]

Penalty for non compliance; unloading not required in certain cases.

SEC. 3. That any railroad, express company, car company, common carrier other than by water, or the receiver, trustee, or lessee of any of them, or the master or owner of any steam, sailing, or other vessel who knowingly and willfully fails to comply with the provisions of the two preceding sections shall for every such failure be liable for and forfeit and pay a penalty of not less than one hundred nor more than five hundred dollars: *Provided*, That when animals are carried in cars, boats, or other vessels in which they can and do have proper food, water, space,

and opportunity to rest the provisions in regard to their being unloaded shall not apply. [34 Stat. L. 608.]

SEC. 4. That the penalty created by the preceding section shall be recovered by civil action in the name of the United States in the circuit or district court holden within the district where the violation may have been committed or the person or corporation resides or carries on business; and it shall be the duty of United States attorneys to prosecute all violations of this Act reported by the Secretary of Agriculture, or which come to their notice or knowledge by other means. [34 Stat. L. 608.]

Penalty for violation; duty of district attorneys to prosecute.

SEC. 5. That sections forty-three hundred and eighty-six, forty-three hundred and eighty-seven, forty-three hundred and eighty-eight, forty-three hundred and eighty-nine, and forty-three hundred and ninety of the Revised Statutes of the United States be, and the same are hereby, repealed. [34 Stat. L. 608.]

Repeal of sections of R.

An act to provide for the safe transport and humane treatment of export cattle from the United States to foreign countries, and for other purposes.

[Act of March 3, 1891, ch. 521, 26 Stat. L. 833.]

That the Secretary of Agriculture is hereby authorized to examine all vessels which are to carry export cattle from the ports of the United States to foreign countries, and to prescribe by rules and regulations or orders the accommodations which said vessels shall provide for export cattle, as to space, ventilation, fittings, food and water supply, and such other requirements as he may decide to be necessary for the safe and proper transportation and humane treatment of such animals. [26 Stat. L. 833.]

Rules and regulations as to accommodations for export cattle, etc.

SEC. 2. That whenever the owner, owners, or master of any vessel carrying export cattle shall willfully violate or cause or permit to be violated any rule, regulation or order made pursuant to the foregoing section the vessel in respect of which such violation shall occur may be prohibited from again carrying cattle from any port of the United States for such length of time, not exceeding one year, as the Secretary of Agriculture may direct, and such vessel shall be refused clearance from any port of the United States accordingly. [26 Stat. L. 833.]

Violation of rules and regulations; penalty.

From the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256.

FOR MEAT INSPECTION: That hereafter, for the purpose of preventing the use in interstate or foreign commerce, as hereinafter provided, of meat and meat food products which are unsound, unhealthful, unwholesome, or otherwise unfit for human food, the Secretary of Agriculture, at his discretion, may cause to be made, by inspectors appointed for that purpose, an examination and inspection of all cattle, sheep, swine, and goats before they shall be allowed to enter into any slaughtering, packing, meat-canning, rendering, or similar establishment, in which

Examination of animals before slaughtering; diseased animals to be slaughtered separately.

they are to be slaughtered and the meat and meat food products thereof are to be used in interstate or foreign commerce; and all cattle, swine, sheep, and goats found on such inspection to show symptoms of disease shall be set apart and slaughtered separately from all other cattle, sheep, swine, or goats, and when so slaughtered the carcasses of said cattle, sheep, swine, or goats shall be subject to a careful examination and inspection, all as provided by the rules and regulations to be prescribed by the Secretary of Agriculture, as herein provided for. [34 Stat. L. 1260.]

Post-mortem examination, at slaughtering, etc., establishments; marking, etc., of carcasses; destruction of condemned carcasses, etc.; reinspection.

That for the purposes hereinbefore set forth the Secretary of Agriculture shall cause to be made by inspectors appointed for that purpose, as hereinafter provided, a post-mortem examination and inspection of the carcasses and parts thereof of all cattle, sheep, swine, and goats to be prepared for human consumption at any slaughtering, meat-canning, salting, packing, rendering, or similar establishment in any State, Territory, or the District of Columbia for transportation or sale as articles of interstate or foreign commerce; and the carcasses and parts thereof of all such animals found to be sound, healthful, wholesome, and fit for human food shall be marked, stamped, tagged, or labeled as "Inspected and passed;" and said inspectors shall label, mark, stamp, or tag as "Inspected and condemned" all carcasses and parts thereof of animals found to be unsound, unhealthful, unwholesome, or otherwise unfit for human food; and all carcasses and parts thereof thus inspected and condemned shall be destroyed for food purposes by the said establishment in the presence of an inspector, and the Secretary of Agriculture may remove inspectors from any such establishment which fails to so destroy any such condemned carcass or part thereof, and said inspectors, after said first inspection, shall, when they deem it necessary, reinspect said carcasses or parts thereof to determine whether since the first inspection the same have become unsound, unhealthful, unwholesome, or in any way unfit for human food, and if any carcass or any part thereof shall, upon examination and inspection subsequent to the first examination and inspection, be found to be unsound, unhealthful, unwholesome, or otherwise unfit for human food, it shall be destroyed for food purposes by the said establishment in the presence of an inspector, and the Secretary of Agriculture may remove inspectors from any establishment which fails to so destroy any such condemned carcass or part thereof. [34 Stat. L. 1260.]

Examination of carcasses, etc., brought into slaughtering, packing, etc., establishments, and of meat products issued from and returned to such establishments.

The foregoing provisions shall apply to all carcasses or parts of carcasses of cattle, sheep, swine, and goats, or the meat or meat products thereof which may be brought into any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, and such examination and inspection shall be had before the said carcasses or parts thereof shall be allowed to enter into any depart-

ment wherein the same are to be treated and prepared for meat food products; and the foregoing provisions shall also apply to all such products which, after having been issued from any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, shall be returned to the same or to any similar establishment where such inspection is maintained. [34 Stat. L. 1261.]

That for the purposes hereinbefore set forth the Secretary of Agriculture shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of all meat food products prepared for interstate or foreign commerce in any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, and for the purposes of any examination and inspection said inspectors shall have access at all times, by day or night, whether the establishment be operated or not, to every part of said establishment; and said inspectors shall mark, stamp, tag, or label as "Inspected and passed" all such products found to be sound, healthful, and wholesome, and which contain no dyes, chemicals, preservatives, or ingredients which render such meat, or meat food products unsound, unhealthful, unwholesome, or unfit for human food; and said inspectors shall label, mark, stamp, or tag as "Inspected and condemned" all such products found unsound, unhealthful, and unwholesome, or which contain dyes, chemicals, preservatives, or ingredients which render such meat or meat food products unsound, unhealthful, unwholesome, or unfit for human food, and all such condemned meat food products shall be destroyed for food purposes, as hereinbefore provided, and the Secretary of Agriculture may remove inspectors from any establishment which fails to so destroy such condemned meat food products: *Provided*, That subject to the rules and regulations of the Secretary of Agriculture the provisions hereof in regard to preservatives shall not apply to meat food products for export to any foreign country and which are prepared or packed according to the specifications or directions of the foreign purchaser, when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is to be exported; but if said article shall be in fact sold or offered for sale for domestic use or consumption then this proviso shall not exempt said article from the operation of all the other provisions of this Act. [34 Stat. L. 1261.]

That when any meat or meat food product prepared for interstate or foreign commerce which has been inspected as hereinbefore provided and marked "Inspected and passed" shall be placed or packed in any can, pot, tin, canvas, or other receptacle or covering in any establishment where inspection under the provisions of this Act is maintained, the person, firm, or corporation preparing said product shall cause a label to be attached to said can, pot, tin, canvas, or other receptacle or covering.

Inspectors to be appointed at canning, etc., establishments; access to establishments; marks of inspection; destruction of condemned products; meat food products for export.

Marking of receptacles of meat products; supervision by inspectors; sales under false names prohibited.

under the supervision of an inspector, which label shall state that the contents thereof have been "inspected and passed" under the provisions of this Act; and no inspection and examination of meat or meat food products deposited or inclosed in cans, tins, pots, canvas, or other receptacle or covering in any establishment where inspection under the provisions of this Act is maintained shall be deemed to be complete until such meat or meat food products have been sealed or inclosed in said can, tin, pot, canvas, or other receptacle or covering under the supervision of an inspector, and no such meat or meat food products shall be sold or offered for sale by any person, firm, or corporation in interstate or foreign commerce under any false or deceptive name; but established trade name or names which are usual to such products and which are not false and deceptive and which shall be approved by the Secretary of Agriculture are permitted. [34 Stat. L. 1262.]

Sanitary inspection of slaughtering, packing, etc., establishments; rejection of meat products from insanitary establishments.

The Secretary of Agriculture shall cause to be made by experts in sanitation or by other competent inspectors such inspection of all slaughtering, meat canning, salting, packing, rendering, or similar establishments in which cattle, sheep, swine, and goats are slaughtered and in which meat and meat food products thereof are prepared for interstate or foreign commerce as may be necessary to inform himself concerning the sanitary conditions of the same, and to prescribe the rules and regulations of sanitation under which such establishments shall be maintained and where the sanitary conditions of any such establishment are such that the meat or meat food products are rendered unclean, unsound, unhealthful, unwholesome, or otherwise unfit for human food, he shall refuse to allow said meat or meat food products to be labeled, marked, stamped, or tagged as "inspected and passed." [34 Stat. L. 1262.]

Inspection of animals and meat products during nighttime.

That the Secretary of Agriculture shall cause an examination and inspection of all cattle, sheep, swine, and goats, and the food products thereof, slaughtered and prepared in the establishments hereinbefore described for the purposes of interstate or foreign commerce to be made during the nighttime as well as during the daytime when the slaughtering of said cattle, sheep, swine, and goats or the preparation of said food products is conducted during the nighttime. [34 Stat. L. 1262.]

Transportation in interstate or foreign commerce of carcasses or meat products not inspected and marked, prohibited; inspection and marking of stock on hand.

That on and after October first, nineteen hundred and six, no person, firm, or corporation shall transport or offer for transportation, and no carrier of interstate or foreign commerce shall transport or receive for transportation from one State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to any foreign country, any carcasses or parts thereof, meat, or meat food products there

which have not been inspected, examined, and marked as "Inspected and passed," in accordance with the terms of this Act and with the rules and regulations prescribed by the Secretary of Agriculture: *Provided*, That all meat and meat food products on hand on October first, nineteen hundred and six, at establishments where inspection has not been maintained or which have been inspected under existing law, shall be examined and labeled under such rules and regulations as the Secretary of Agriculture shall prescribe, and then shall be allowed to be sold in interstate or foreign commerce. [34 Stat. L. 1262.]

That no person, firm, or corporation, or officer, agent, or employee thereof, shall forge, counterfeit, simulate, or falsely represent, or shall without proper authority use, fail to use, or detach, or shall knowingly or wrongfully alter, deface, or destroy, or fail to deface or destroy, any of the marks, stamps, tags, labels, or other identification devices provided for in this Act, or in and as directed by the rules and regulations prescribed hereunder by the Secretary of Agriculture, on any carcasses, parts of carcasses, or the food product, or containers thereof, subject to the provisions of this Act, or any certificate in relation thereto, authorized or required by this Act or by the said rules and regulations of the Secretary of Agriculture. [34 Stat. L. 1263.]

Forgery, alteration, unauthorized use, etc., of marks, labels, etc., prohibited.

That the Secretary of Agriculture shall cause to be made a careful inspection of all cattle, sheep, swine, and goats intended and offered for export to foreign countries at such times and places, and in such manner as he may deem proper, to ascertain whether such cattle, sheep, swine, and goats are free from disease. [34 Stat. L. 1263.]

Inspection of cattle, etc., for export.

And for this purpose he may appoint inspectors who shall be authorized to give an official certificate clearly stating the condition in which such cattle, sheep, swine, and goats are found. [34 Stat. L. 1263.]

Inspectors of cattle, etc., for export; certificates of condition of cattle, etc.

And no clearance shall be given to any vessel having on board cattle, sheep, swine, or goats for export to a foreign country until the owner or shipper of such cattle, sheep, swine, or goats has a certificate from the inspector herein authorized to be appointed, stating that the said cattle, sheep, swine, or goats are sound and healthy, or unless the Secretary of Agriculture shall have waived the requirement of such certificate for export to the particular country to which such cattle, sheep, swine, or goats are to be exported. [34 Stat. L. 1263.]

No clearance to vessel having on board cattle, etc., without inspector's certificate; waiver of certificate.

That the Secretary of Agriculture shall also cause to be made a careful inspection of the carcasses and parts thereof of all cattle, sheep, swine, and goats, the meat of which, fresh, salted, canned, corned, packed, cured, or otherwise prepared, is intended and offered for export to any foreign country, at such times and places and in such manner as he may deem proper. [34 Stat. L. 1233.]

Inspection of carcasses of cattle, etc., whose meat is intended for export.

Inspectors of carcasses, etc., of cattle, etc., whose meat is intended for export; certificates of condition of cattle, etc., and meat.
No clearance to vessel having on board meat, etc., for export without inspector's certificate; waiver of certificate.

And for this purpose he may appoint inspectors who shall be authorized to give an official certificate stating the condition in which said cattle, sheep, swine, or goats, and the meat thereof, are found. [34 Stat. L. 1263.]

And no clearance shall be given to any vessel having on board any fresh, salted, canned, corned, or packed beef, mutton, pork, or goat meat, being the meat of animals killed after the passage of this Act, or except as hereinbefore provided for export to and sale in a foreign country from any port in the United States, until the owner or shipper thereof shall obtain from an inspector appointed under the provisions of this Act a certificate that the said cattle, sheep, swine, and goats were sound and healthy at the time of inspection, and that their meat is sound and wholesome, unless the Secretary of Agriculture shall have waived the requirements of such certificate for the country to which said cattle, sheep, swine, and goats or meats are to be exported. [34 Stat. L. 1263.]

Delivery of inspectors' certificates and copies thereof.

That the inspectors provided for herein shall be authorized to give official certificates of the sound and wholesome condition of the cattle, sheep, swine, and goats, their carcasses and products as herein described; and one copy of every certificate granted under the provisions of this Act shall be filed in the Department of Agriculture, another copy shall be delivered to the owner or shipper, and when the cattle, sheep, swine, and goats or their carcasses and products are sent abroad, a third copy shall be delivered to the chief officer of the vessel on which the shipment shall be made. [34 Stat. L. 1263.]

Transportation or sale, etc., of meat or meat products in interstate commerce without complying with provisions of act, prohibited.

That no person, firm, or corporation engaged in the interstate commerce of meat or meat food products shall transport or offer for transportation, sell or offer to sell any such meat or meat food products in any State or Territory or in the District of Columbia or any place under the jurisdiction of the United States, other than in the State or Territory or in the District of Columbia or any place under the jurisdiction of the United States in which the slaughtering, packing, canning, rendering, or other similar establishment owned, leased, or operated by said firm, person, or corporation is located unless and until said person, firm, or corporation shall have complied with all of the provisions of this Act. [34 Stat. L. 1264.]

Violations of provisions of act; penalty.

That any person, firm, or corporation, or any officer or agent of any such person, firm, or corporation, who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor and shall be punished on conviction thereof by a fine of not exceeding ten thousand dollars or imprisonment for a period of not more than two years, or by both such fine and imprisonment, in the discretion of the court. [34 Stat. L. 1264.]

That the Secretary of Agriculture shall appoint from time to time inspectors to make examination and inspection of all cattle, sheep, swine, and goats, the inspection of which is hereby provided for, and of all carcasses and parts thereof, and of all meats and meat food products thereof, and of the sanitary conditions of all establishments in which such meat and meat food products hereinbefore described are prepared; and said inspectors shall refuse to stamp, mark, tag, or label any carcass or any part thereof, or meat food product therefrom, prepared in any establishment hereinbefore mentioned, until the same shall have actually been inspected and found to be sound, healthful, wholesome, and fit for human food, and to contain no dyes, chemicals, preservatives, or ingredients which render such meat food product unsound, unhealthful, unwholesome, or unfit for human food; and to have been prepared under proper sanitary conditions, hereinbefore provided for: and shall perform such other duties as are provided by this Act and by the rules and regulations to be prescribed by said Secretary of Agriculture: and said Secretary of Agriculture shall, from time to time, make such rules and regulations as are necessary for the efficient execution of the provisions of this Act, and all inspections and examinations made under this Act shall be such and made in such manner as described in the rules and regulations prescribed by said Secretary of Agriculture not inconsistent with the provisions of this Act. [34 Stat. L. 1264.]

Inspectors to make examinations and inspections provided for by act; appointment; duties; rules and regulations for execution of provisions of act.

That any person, firm, or corporation, or any agent or employee of any person, firm, or corporation who shall give, pay, or offer, directly or indirectly, to any inspector, deputy inspector, chief inspector, or any other officer or employee of the United States authorized to perform any of the duties prescribed by this Act or by the rules and regulations of the Secretary of Agriculture any money or other thing of value, with intent to influence said inspector, deputy inspector, chief inspector, or other officer or employee of the United States in the discharge of any duty herein provided for, shall be deemed guilty of a felony and, upon conviction thereof, shall be punished by a fine not less than five thousand dollars nor more than ten thousand dollars and by imprisonment not less than one year nor more than three years; and any inspector, deputy inspector, chief inspector, or other officer or employee of the United States authorized to perform any of the duties prescribed by this Act who shall accept any money, gift, or other thing of value from any person, firm, or corporation, or officers, agents, or employees thereof, given with intent to influence his official action, or who shall receive or accept from any person, firm, or corporation engaged in interstate or foreign commerce any gift, money, or other thing of value

Bribery of, or gifts, etc., to inspectors, etc., and acceptance of gifts, etc., by inspectors, etc.; punishment.

given with any purpose or intent whatsoever, shall be deemed guilty of a felony and shall, upon conviction thereof, be summarily discharged from office and shall be punished by a fine not less than one thousand dollars nor more than ten thousand dollars and by imprisonment not less than one year nor more than three years. [Stat. L. 1264.]

Provisions requiring inspection not to apply to farmers, retailers, etc.; sale, etc., meat products unfit for food punishable; penalty; maintenance of inspection as to retailers, farmers, etc., authorized.

That the provisions of this Act requiring inspection be made by the Secretary of Agriculture shall not apply to animals slaughtered by any farmer on the farm a sold and transported as interstate or foreign commerce nor to retail butchers and retail dealers in meat and meat food products, supplying their customers: *Provided*, That if any person shall sell or offer for sale or transportation for interstate or foreign commerce any meat or meat food products which are diseased, unsound, unhealthful, and not wholesome, or otherwise unfit for human food, knowing that such meat food products are intended for human consumption, he shall be guilty of a misdemeanor, and conviction thereof shall be punished by a fine not exceeding one thousand dollars or by imprisonment for a period not exceeding one year, or by both such fine and imprisonment: *Provided also*, That the Secretary of Agriculture is authorized to maintain the inspection in this Act provided for at any slaughtering, meat-canning, salting, packing, rendering, or similar establishment notwithstanding this exception, and that the persons operating the same may be retail butchers and retail dealers or farmers: and where the Secretary of Agriculture shall establish such inspection then the provisions of this Act shall apply notwithstanding this exception. [34 Stat. L. 126.]

Statement in annual estimates as to persons employed in inspections, their compensation and expenses.

And the Secretary of Agriculture shall, in his annual estimates made to Congress, submit a statement in detail showing the number of persons employed in such inspections and the salary or per diem paid to each, together with the contingent expenses of such inspectors and where they have been and are employed. [34 Stat. L. 1265.]

From the agricultural appropriation act of June 30, 1906, ch. 3913, Stat. L. 669.

Permanent appropriation for expenses of carrying into effect provisions of act.

That there is permanently appropriated, out of any money in the Treasury not otherwise appropriated, the sum of three million dollars, for the expenses of the inspection of cattle, sheep, swine, and goats and the meat and meat food products thereof which enter into interstate or foreign commerce and for all expenses necessary to carry into effect the provisions of this Act relating to meat inspection, including rent and the employment of labor in Washington and elsewhere, for each year. * * [34 Stat. L. 679.]

from the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1258.

GENERAL EXPENSES, BUREAU OF ANIMAL INDUSTRY: To suppress and prevent the spread of contagious, etc., diseases of live stock and maintain quarantine districts and regulate movement of cattle, etc.; inspection of live horses.

For carrying out the provisions of the Act approved May twenty-ninth, eighteen hundred and eighty-four, establishing the Bureau of Animal Industry, and the provisions of the Act approved February second, nineteen hundred and three, to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of live stock, and for other purposes; and also the provisions of the Act approved March third, nineteen hundred and five, to enable the Secretary of Agriculture to establish and maintain quarantine districts, to permit and regulate the movement of cattle and other live stock therefrom, and for other purposes: *Provided*, That live horses be entitled to the same inspection as other animals herein named, * * * [34 Stat. L. 1259.]

This provision occurs also in previous appropriation acts. See 34 Stat. L. 673; 33 Stat. L. 864; 33 Stat. L. 280; 32 Stat. L. 1150; 32 Stat. L. 289; 31 Stat. L. 925; 31 Stat. L. 202; 30 Stat. L. 956; 30 Stat. L. 338. The proviso supercedes the similar proviso in previous acts.

and the Secretary of Agriculture is hereby authorized to use any part of this sum he may deem necessary or expedient, in such manner as he may think best, in the collection of information and dissemination of knowledge concerning live stock, dairy, and other animal products, and to prevent the spread of pleuro-pneumonia, blackleg, tuberculosis, sheep scab, glanders or farcy, hog cholera, and other diseases of animals, and for this purpose to employ as many persons in the city of Washington or elsewhere as he may deem necessary, and to expend any part of this sum in the purchase and destruction of diseased or exposed animals and the quarantine of the same whenever in his judgment it is essential to prevent the spread of pleuro-pneumonia, tuberculosis, or other diseases of animals from one State to another; for improving and maintaining the Bureau Experiment Station, at Bethesda, Maryland; and for the construction and alteration of buildings thereon as may be necessary from time to time in the discretion of the Secretary of Agriculture; to establish, improve, and maintain quarantine stations, to construct and alter buildings thereon as may be necessary from time to time in the discretion of the Secretary of Agriculture, and to provide proper shelter and equipment for the care of neat cattle, domestic and other animals imported at such ports as may be deemed necessary; for preparing and publishing such reports relating to animal industry as he may direct; and the Secretary is hereby authorized to rent suitable buildings in the District of Columbia, to be used for office, laboratory, and storage purposes for said Bureau of Animal Industry for purposes other than meat inspection: [34 Stat. L. 1259.]

Preventing diseases among animals; purchase and destruction of diseased, etc., animals; experiment station, Bethesda, Md.; maintaining quarantine stations, shelter, etc., for neat cattle, etc.; publishing reports; renting buildings in Washington.

Leaves of absence of employees of Bureau of Animal Industry outside of Washington.

and the employees of the Bureau of Animal Industry outside of the city of Washington may hereafter, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leaves of absence not to exceed fifteen days in any one year; which leave may, in exceptional and meritorious cases where such an employee is ill, be extended, in the discretion of the Secretary of Agriculture, not to exceed fifteen days additional in any one year: [34 Stat. L. 1259.]

The same provision occurs in the acts of June 30, 1906, ch. 3913, 34 Stat. L. 673; March 3, 1905, ch. 1405, 33 Stat. L. 865; April 23, 1904, ch. 1486, 33 Stat. L. 280; March 3, 1903, ch. 1008, 32 Stat. L. 1150; June 3, 1902, ch. 985, 32 Stat. L. 289; March 2, 1901, ch. 805, 31 Stat. L. 925; May 25, 1900, ch. 555, 31 Stat. L. 202.

Inspection of live cattle and products thereof to include dairy products for export; rules and regulations for inspection; marking, etc., of dairy products.

Provided, That the Act of March third, eighteen hundred and ninety-one, as amended March second, eighteen hundred and ninety-five, for the inspection of live cattle and products thereof, shall be deemed to include dairy products intended for exportation to any foreign country, and the Secretary of Agriculture may apply, under rules and regulations to be prescribed by him, the provisions of said Act for inspection and certification appropriate for ascertaining the purity and quality of such products, and may cause the same to be so marked, stamped, or labeled as to secure their identity and make known in the markets of foreign countries to which they may be sent from the United States their purity, quality, and grade; and all the provisions of said Act relating to live cattle and products thereof for export shall apply to dairy products so inspected and certified: [34 Stat. L. 1260.]

The same provision is contained in the appropriation act of June 30, 1906, ch. 3913, 34 Stat. L. 673, and provisions substantially the same in the acts of March 3, 1905, ch. 1405, 33 Stat. L. 864; April 23, 1904, ch. 1486, 33 Stat. L. 280; March 3, 1903, ch. 1008, 32 Stat. L. 1150; June 3, 1902, ch. 985, 32 Stat. L. 289; March 2, 1901, ch. 805, 31 Stat. L. 925.

Investigation of animal diseases in Minnesota; testing and purchasing serums, anti-toxins, etc.

Provided, also, That the Secretary of Agriculture is authorized to expend five thousand dollars of the amount hereby appropriated to especially investigate hemorrhagic septicemia, infectious cerebro-spinal meningitis, and malignant catarrh, prevalent among domestic animals in the State of Minnesota and adjoining States, to work out, if possible, in cooperation with the Minnesota Experiment Station, the problem of prevention by developing antitoxin or preventive vaccines and to secure and diffuse information along these lines, provided that the Secretary of Agriculture is authorized to purchase in the open market samples of all tuberculin serums, anti-toxins, or analogous products, of foreign or domestic manufacture, which are sold in the United States for the detection, prevention, treatment, or cure of diseases of

domestic animals, to test the same and to publish the results of said tests in such manner as he may deem best. [34 Stat. L. 1260.]

For experiments in animal feeding and breeding in cooperation with the State agricultural experiment stations, * * * [34 Stat. L. 1260.] Cooperative experiments in animal feeding and breeding.

Similar provisions appear in the acts of June 30, 1906, ch. 3913, 34 Stat. L. 674; March 3, 1905, ch. 1405, 33 Stat. L. 866; April 23, 1904, ch. 1486, 33 Stat. L. 281.

ERADICATING CATTLE TICKS: For Bureau of Animal Industry: To enable the Secretary of Agriculture to undertake experimental work in cooperation with State authorities in eradicating the ticks transmitting southern cattle fever, * * * of which sum, * * * shall be immediately available. [34 Stat. L. 1281.] Cooperative work in eradicating cattle ticks.

Joint Resolution To provide for the printing of two hundred and fifty thousand copies of the special report on the diseases of horses.

[Resolution of March 4, 1907, No. 27.]

That there be printed and bound in cloth two hundred and fifty thousand copies of the special report on diseases of horses, with accompanying illustrations, the same to be first revised and brought to date under the supervision of the Secretary of Agriculture, one hundred and seventy-five thousand for the use of the House of Representatives, sixty thousand for the use of the Senate, and fifteen thousand for the use of the Department of Agriculture. [34 Stat. L. 1425.] Special report on diseases of horses; additional copies ordered printed.

SEC. 73. Extra copies of documents and reports shall be printed promptly when the same shall be ready for publication, and shall be bound in paper or cloth as directed by the Joint Committee on Printing, and shall be of the number following in addition to the usual number: * * * Report of Bureau of Animal Industry; number of copies.

Of the Report of the Bureau of Animal Industry, thirty thousand copies, of which seven thousand shall be for the Senate, fourteen thousand for the House, and nine thousand for distribution by the Agricultural Department. [28 Stat. L. 612.]

Act of January 12, 1895, ch. 23, entitled "An act providing for the public printing and binding and the distribution of public documents."

BUREAU OF PLANT INDUSTRY.

From the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256.

GENERAL EXPENSES, BUREAU OF PLANT INDUSTRY: To investigate fruits, fruit trees, grain, cotton, tobacco, vegetables, grasses, forage, drug, medicinal, poisonous, fiber, and other plants and plant industries, in cooperation with other branches of the Department, the State experiment stations, and practical farmers; to study plant and or- General expenses, Bureau of Plant Industry.

chard diseases and demonstrate the treatment of same; to study plant physiology in relation to crop production; to originate and improve crops by breeding and selection; to investigate and encourage the adoption of improved methods of farm management and farm practice; to investigate the feeding value of farm crops and the use of fertilizers; to investigate the causes of decay in forest timber and timber used for construction purposes, and to devise means for preventing the decay of the same; to investigate the practical application in agriculture of the fixation of atmospheric nitrogen by bacteria and other micro-organisms in soils and in the root tubercles of leguminous and other plants; to cultivate and distribute these nitrogen fixers; to study and find methods for preventing algal and other contaminations of water supplies; to carry on special investigations of the conditions of grain production, handling, grading, and transit, and of the means of improving the same; to model fruits, vegetables, and other plants, and furnish duplicate models to the experiment stations of the several States, as far as found practicable; to investigate the methods of harvesting, packing, storing, and shipping fruits and vegetables, and for experimental shipments of fruits and vegetables within the United States and to foreign countries; to cultivate and care for experimental gardens and grounds, manage and maintain conservatories, greenhouses, and plant and fruit propagating houses; to enable the Secretary of Agriculture to continue the necessary improvements to establish and maintain a general experimental farm and agricultural station on the Arlington estate, in the State of Virginia, in accordance with the provisions of the Act of Congress approved April eighteenth, nineteen hundred; to investigate and report on the cost of growing and curing tea and the best method of cultivating and preparing the same for market; to investigate and develop the domestic production of sugar-beet seed and the best methods of increasing the tonnage of sugar beets; to continue inquiry and ascertain the progress made in the production of domestic sugar from beets and sorghum and other sugar-producing plants; to collect, purchase, propagate, test, and experiment with rare new seeds, bulbs, trees, shrubs, vines, cuttings, and plants; for the employment of investigators, local and special agents, agricultural explorers, experts, clerks, illustrators, assistants, student or scientific aids, foremen, gardeners, mechanics, and all other labor and scientific assistance required in conducting investigations and experiments in the city of Washington and elsewhere. [34 Stat. L. 1266.]

And the employees of the Bureau of Plant Industry outside of the city of Washington may, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leaves of absence

Leaves of absence of employees of Bureau of Plant Industry outside of Washington.

not to exceed fifteen days in any one year, which leave may in exceptional and meritorious cases, where such an employee is ill, be extended, in the discretion of the Secretary of Agriculture, not to exceed fifteen days additional in any one year. [34 Stat. L. 1267.]

Identically the same provision occurs in the act of June 30, 1906, ch. 3913, 34 Stat. L. 680.

For collating, mapping, illustrating, digesting, printing, reporting, publishing, and disseminating information on the results of these investigations and experiments. [34 Stat. L. 1267.]

Disseminating information on results of investigations.

And the Secretary of Agriculture is hereby directed to obtain in the open market samples of seeds of grass, clover, or alfalfa, test the same, and if any such seeds are found to be adulterated or misbranded, or any seeds of Canada blue grass (*Poa compressa*) are obtained under any other name than Canada blue grass or *Poa compressa*, to publish the results of the tests, together with the names of the persons by whom the seeds were offered for sale. [34 Stat. L. 1267.]

Tests of seeds of grass, etc., for adulterations.

This provision is a repetition of those contained in the appropriation acts of June 30, 1906, ch. 3913, 34 Stat. L. 681; March 3, 1905, ch. 1405, 33 Stat. L. 869; April 23, 1904, ch. 1486, 33 Stat. L. 283; March 2, 1901, ch. 805, 31 Stat. L. 928; May 25, 1900, ch. 555, 31 Stat. L. 195.

For actual and necessary traveling expenses; for telegraph and telephone service; for gas and electric current; for forage, ice, postage, and washing towels; for express and freight charges; for the purchase of chemicals, materials, office, field, and laboratory supplies, fertilizers, office fixtures, fuel, apparatus, machinery, tools, and other implements, and repairs to same, horses, vehicles, horse-shoeing, and harness; for rent and repairs. * * * in the District of Columbia; and for all other necessary expenses. [34 Stat. L. 1267.]

Contingent expenses.

GRAIN INVESTIGATIONS: To enable the Secretary of Agriculture to establish and maintain, at such points as he may deem expedient, laboratories for the purpose of examining and reporting upon the nature, quality, and condition of any sample, parcel, or consignment of seed or grain, including rent and the employment of labor in the city of Washington and elsewhere, * * * or so much thereof as may be necessary; and the Secretary of Agriculture is authorized to report upon such samples, parcels, or consignments from time to time, and the reports so made shall serve as a basis for the fixing of definite grades and also for the issuance of certificates of inspection when requested by the consignor or consignee of any grain entering into foreign commerce. [34 Stat. L. 1267.]

Examinations of and reports on samples of seed or grain; fixing of grades; certificates of inspection.

The same provision was contained in the act of June 30, 1906, ch. 3913, 34 Stat. 681.

Purchase and distribution of seeds, plants, etc.; contingent expenses; seeds, plants, etc., to be adapted to localities; allotment to members of Congress for distribution; packages; reports on results obtained; distribution of uncalled-for seeds, plants, etc.; report as to seeds purchased; diversion of appropriation forbidden; indications on wrappers, etc.; early delivery to southern section.

PURCHASE AND DISTRIBUTION OF VALUABLE SEEDS: For the purchase, propagation, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; for rent and repairs; the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, and electric current, traveling expenses, and all necessary material and repairs for putting up and distributing the same, and to be distributed in localities adapted to their culture, * * * of which amount * * * shall be allotted for Congressional distribution. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at a public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the Department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster-General may jointly determine; and the person receiving such seeds shall be requested to inform the Department of the results of the experiments therewith: *Provided*, That all seeds, bulbs, plants, and cuttings herein allotted to Senators, Representatives, and Delegates in Congress for distribution remaining uncalled for on the first of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress, and who have not before, during the same season, been supplied by the Department: *And provided also*, That the Secretary shall report, as provided in this Act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cuttings, and plants: *Provided, however*,

that upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the tenth day of January: [34 Stat. L. 1267.]

Similar provisions have been enacted in the following previous appropriation acts: June 30, 1906, ch. 3913, 34 Stat. L. 682; March 3, 1905, ch. 1405, 33 Stat. L. 871; April 23, 1904, ch. 1486, 33 Stat. L. 285; March 3, 1903, ch. 1008, 32 Stat. L. 1155; June 3, 1902, ch. 985, 32 Stat. L. 294; March 2, 1901, ch. 805, 31 Stat. L. 937; May 25, 1900, ch. 555, 31 Stat. L. 201; March 1, 1899, ch. 325, 30 Stat. L. 955; March 22, 1898, ch. 85, 30 Stat. L. 337; April 23, 1897, ch. 1, 30 Stat. L. 8; April 25, 1896, ch. 140, 29 Stat. L. 106; March 2, 1895, ch. 169, 28 Stat. L. 733; August 8, 1894, ch. 238, 28 Stat. L. 269; March 3, 1893, ch. 214, 27 Stat. L. 739; July 5, 1892, ch. 147, 27 Stat. L. 78; March 3, 1891, ch. 544, 26 Stat. L. 1048; July 14, 1890, ch. 707, 26 Stat. L. 286; March 2, 1889, ch. 373, 25 Stat. L. 838; July 18, 1888, ch. 677, 25 Stat. L. 332; March 3, 1887, ch. 351, 24 Stat. L. 498; June 30, 1886, ch. 575, 24 Stat. L. 102; March 3, 1885, ch. 338, 23 Stat. L. 355; June 5, 1884, ch. 71, 23 Stat. L. 38; January 20, 1883, ch. 36, 22 Stat. L. 410; May 19, 1882, ch. 171, 22 Stat. L. 90; March 3, 1881, ch. 120, 21 Stat. L. 382; June 16, 1880, ch. 252, 21 Stat. L. 204.

"This provision, originally enacted in the agricultural appropriation act of 1880, cited above, is repeated, with some alterations and additions, in the similar appropriation act of each year. In the form above set forth, it is re-enacted, without substantial change, in several of the acts first cited above. It may be questionable whether it is to be considered permanent, or limited in application to the appropriation for the particular year." (*Note, U. S. Compiled Statutes, p. 291.*)

"It is questionable to what extent, if at all, its provisions can be considered permanent, or whether each is in force only in relation to the particular appropriation made by the act in which each appears." (*Note, 1 Supp. U. S. R. S., p. 773.*)

Provided, further, That * * * dollars of which sum, so much thereof as the Secretary of Agriculture shall direct, may be used to collect, purchase, test, propagate, and distribute rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries or from our possessions for experiments with reference to their introduction into and cultivation in this country; and the seeds, bulbs, trees, shrubs, vines, cuttings, and plants thus collected, purchased, tested, and propagated shall not be included in general distribution, it shall be used for experimental tests, to be carried on

Purchase,
testing, distri-
bution, etc., of
foreign seeds,
plants, etc.

with the cooperation of the agricultural experiment stations. [34 Stat. L. 1268.]

Similar provisions are contained in the acts of June 30 1906, ch. 3913, 34 Stat. L. 682; March 3, 1905, ch. 1405 33 Stat. L. 871; April 23, 1904, ch. 1486, 33 Stat. L. 286; March 3, 1903, ch. 1008, 32 Stat. L. 1156; June 3 1902, ch. 985, 32 Stat. L. 294; March 2, 1901, ch. 805 31 Stat. L. 938; May 25, 1900, ch. 555, 31 Stat. L. 201 March 1, 1899, ch. 325, 30 Stat. L. 956; March 22, 1898, ch 85, 30 Stat. L. 337.

Cotton boll weevil investigations.

COTTON BOLL WEEVIL INVESTIGATIONS: FOR THE BUREAU OF PLANT INDUSTRY: To enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the Mexican cotton boll weevil in the Southern States by encouraging the diversification of crops, improved cultural methods, breeding of new cottons, and to study the diseases of cotton, * * * or so much thereof as may be necessary, of which sum * * * shall be immediately available. And the Secretary of Agriculture is hereby authorized to expend said appropriation in such manner as he shall deem best, in cooperation with the State experiment stations and practical cotton growers [34 Stat. L. 1280.]

Purchase and distribution of seeds, plants, etc., to be of best and adaptable varieties.

SEC. 527. That purchase and distribution of vegetable field, and flower seeds, plants, shrubs, vines, bulbs and cuttings shall be of the freshest and best obtainable varieties and adapted to general cultivation. [R. S.]

As amended by the agricultural appropriation act of April 25, 1896, ch. 140, 29 Stat. L. 106.

Joint Resolution Providing for the printing annually of franks required for sending out seed.

[Resolution of May 19, 1902, No. 28.]

Printing of franks for sending out seed.

That the Public Printer shall furnish to the Department of Agriculture such franks as the Secretary of Agriculture may require for sending out seeds on Congressional orders, the franks to have printed thereon the facsimile signatures of Senators, Representatives, and Delegates, also the names of their respective States or Territories, and the words "United States Department of Agriculture, Congressional Seed Distribution", or such other printed matter as the Secretary of Agriculture may direct; the franks to be of such size and style as may be prescribed by the Secretary of Agriculture; the expense of printing the said franks to be charged to the allotment for printing and binding for the two Houses of Congress [32 Stat. L. 741.]

Joint Resolution Relative to the printing of twelve thousand copies of the report on the progress of the beet-sugar industry.

[Resolution of June 30, 1906, No. 51.]

Report of progress on beet-sugar industry ordered printed; number of copies.

That there be printed twelve thousand copies of the report on the progress of the beet-sugar industry in the United States in nineteen hundred and five; one thousand copies for the use of the Senate, three thousand copies

for the use of the House of Representatives, and eight thousand copies for the use of the Department of Agriculture, and that the Secretary of Agriculture be authorized to print and distribute annually hereafter eight thousand copies of such annual reports covering the progress of the beet-sugar industry: *Provided*, That the preparation and publication of such annual reports shall be within the discretion of the Secretary of Agriculture. [34 Stat. L. 839.]

FOREST SERVICE.

An act to repeal timber-culture laws, and for other purposes.

[Act of March 3, 1891, ch. 561, 26 Stat. L. 1095.]

SEC. 24. That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof. [26 Stat. L. 1103.]

Agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256.

* * * Forest reserves * * * shall be known hereafter as national forests * * * [34 Stat. L. 1269.]

Creation of national forests.

Designation of forest reserves.

Sundry civil appropriation act of June 4, 1897, ch. 2, 30 Stat. L. 11.

* * * To remove any doubt which may exist pertaining to the authority of the President thereunto [in regard to the National Forests], the President of the United States is hereby authorized and empowered to revoke, modify, or suspend any and all such Executive orders and proclamations, or any part thereof, from time to time as he shall deem best for the public interests: * * * [30 Stat. L. 34.]

President empowered to revoke, modify, or suspend Executive orders or proclamations.

The President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve. [30 Stat. L. 36.]

President may modify any Executive order, etc.

Agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256.

Hereafter no forest reserve shall be created, nor shall any additions be made to one heretofore created within the limits of the States of Oregon, Washington, Idaho, Montana, Colorado, or Wyoming, except by Act of Congress. [34 Stat. L. 1271.]

No new forests to be created in certain States.

An Act Providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture.
[Act of February 1, 1905, ch. 288, 33 Stat. L. 628.]

Transfer of national forests to care of Secretary of Agriculture. 26 Stat. L. 1095, ch. 561. The Secretary of the Department of Agriculture shall, from and after the passage of this Act, execute or cause to be executed all laws affecting public lands heretofore or hereafter reserved under the provisions of section twenty-four of the Act entitled "An Act to repeal the timber-culture laws, and for other purposes," approved March third, eighteen hundred and ninety-one, and Acts supplemental to and amendatory thereof, after such lands have been so reserved, excepting such laws as affect the surveying, prospecting, locating, appropriating, entering, relinquishing, reconveying, certifying, or patenting of any of such lands. [33 Stat. L. 628.]

Sundry civil appropriation act of June 4, 1897, ch. 2, 30 Stat. L. 11.

26 Stat. L. 1095, ch. 561. All public lands heretofore designated and reserved by the President of the United States under the provisions of the Act approved March third, eighteen hundred and ninety-one, the orders for which shall be and remain in full force and effect, unsuspended and unrevoked, and all public lands that may hereafter be set aside and reserved as public forest reserves under said Act, shall be as far as practicable controlled and administered in accordance with the following provisions:

National forests only to be established for protection of timber and to secure favorable conditions of water flow. No public forest reservation shall be established, except to improve and protect the forest within the reservation, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens of the United States; but it is not the purpose or intent of these provisions, or of the Act providing for such reservations, to authorize the inclusion therein of lands more valuable for the mineral therein, or for agricultural purposes, than for forest purposes. [30 Stat. L. 34.]

Provisions for protection against fire, etc. The Secretary of the Interior shall make provisions for the protection against destruction by fire and depredations upon the public forests and forest reservations which may have been set aside or which may be hereafter set aside under the said Act of March third, eighteen hundred and ninety-one, and which may be continued; and he may make such rules and regulations and establish such service as will insure the objects of such reservations, namely, to regulate their occupancy and use and to preserve the forests thereon from destruction; and any violation of the provisions of this Act or such rules and regulations shall be punished as is provided for in the Act of June fourth, eighteen hundred and eighty-eight, amending section fifty-three hundred and eighty-eight of the Revised Statutes of the United States. [30 Stat. L. 35.]

Secretary (of Agriculture) may make rules and regulations.

Penalty. 25 Stat. L. 166, ch. 340. R. S., sec. 5388.

Timber may be appraised and sold.

For the purpose of preserving the living and growing timber and promoting the younger growth on forest reservations, the Secretary of the Interior, under such rules and regulations as he shall prescribe, may cause to be

designated and appraised so much of the dead, matured, or large growth of trees found upon such forest reservations as may be compatible with the utilization of the forests thereon, and may sell the same for not less than the appraised value in such quantities to each purchaser as he shall prescribe, to be used in the State or Territory in which such timber reservation may be situated, respectively, but not for export therefrom. [30 Stat. L. 35.]

[Before such sale shall take place, notice thereof shall be given by the Commissioner of the General Land Office, for not less than thirty days, by publication in one or more newspapers of general circulation, as he may deem necessary, in the State or Territory where such reservation exists: *Provided, however,* That in cases of unusual emergency the Secretary of the Interior may, in the exercise of his discretion, permit the purchase of timber and cord wood in advance of advertisement of sale at rates of value approved by him and subject to payment of the full amount of the highest bid resulting from the usual advertisement of sale: *Provided further,* That he may, in his discretion, sell without advertisement, in quantities to suit applicants, at a fair appraisement, timber and cord wood not exceeding in value one hundred dollars stumpage: *And provided further,* That in cases in which advertisement is had and no satisfactory bid is received, or in cases in which the bidder fails to complete the purchase, the timber may be sold, without further advertisement, at private sale, in the discretion of the Secretary of the Interior, at not less than the appraised valuation, in quantities to suit purchasers:] payments for such timber to be made to the receiver of the local land office of the district wherein said timber may be sold, under such rules and regulations as the Secretary of the Interior may prescribe; and the moneys arising therefrom shall be accounted for by the receiver of such land office to the Commissioner of the General Land Office, in a separate account, and shall be covered into the Treasury. Such timber before being sold, shall be marked and designated, and shall be cut and removed under the supervision of some person appointed for that purpose by the Secretary of the Interior, not interested in the purchase or removal of such timber nor in the employment of the purchaser thereof. Such supervisor shall make report in writing to the Commissioner of the General Land Office and to the receiver in the land office in which such reservation shall be located of his doings in the premises. [30 Stat. L. 35.]

Timber to be sold only after advertisement.

In cases of emergency sales may be made in advance of advertisement.

Sales of timber of less than \$100 value to be made without advertisement.

Private sales may be made where bid is unsatisfactory.

Payments.

Timber to be designated and cut under supervision.

The matter in brackets in the above section is taken bodily from the act of June 6, 1900, ch. 804, 31 Stat. L. 661, and, since the passage of the agricultural appropriation act of June 30, 1906, ch. 3913, 34 Stat. L. 669, is the timber sale law for all national forests, except as modified by the act of February 1, 1905, 33 Stat. L. 628, ch. 288, transferring the jurisdiction of the national forests to the Secretary of Agriculture.

Free use of timber and stone may be permitted to settlers, miners, etc. The Secretary of the Interior may permit, under regulations to be prescribed by him, the use of timber and stone found upon such reservations, free of charge, by bona fide settlers, miners, residents, and prospectors for minerals, for firewood, fencing, buildings, mining, prospecting, and other domestic purposes, as may be needed by such persons for such purposes; such timber to be used within the State or Territory, respectively, where such reservations may be located. [30 Stat. L. 35.]

The ingress and egress of settlers and others upon national forests allowed provided they comply with rules and regulations. Nothing herein shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of such reservations, or from crossing the same to and from their property or homes; and such wagon roads and other improvements may be constructed thereon as may be necessary to reach their homes and to utilize their property under such rules and regulations as may be prescribed by the Secretary of the Interior. Nor shall anything herein prohibit any person from entering upon such forest reservations for all proper and lawful purposes, including that of prospecting, locating, and developing the mineral resources thereof: *Provided*, That such persons comply with the rules and regulations covering such forest reservations. [30 Stat. L. 36.]

The paragraphs in this act providing for lieu selection were repealed by the act of March 3, 1905, ch. 1495, 33 Stat. L. 1264.

Lands in national forests may be occupied for schools and churches. The settlers residing within the exterior boundaries of such forest reservations, or in the vicinity thereof, may maintain schools and churches within such reservation, and for that purpose may occupy any part of the said forest reservation, not exceeding two acres for each schoolhouse and one acre for a church. [30 Stat. L. 36.]

Civil and criminal jurisdiction over persons in national forests reserved to the States. The jurisdiction, both civil and criminal, over persons within such reservations shall not be affected or changed by reason of the existence of such reservations, except so far as the punishment of offenses against the United States therein is concerned; the intent and meaning of this provision being that the State wherein any such reservation is situated shall not, by reason of the establishment thereof, lose its jurisdiction, nor the inhabitants thereof their rights and privileges as citizens, or be absolved from their duties as citizens of the State.

Waters may be used for certain purposes. All waters on such reservations may be used for domestic, mining, milling, or irrigation purposes, under the laws of the State wherein such forest reservations are situated, or under the laws of the United States and the rules and regulations established thereunder. [30 Stat. L. 36.]

Agricultural and mineral lands may be restored to public domain. Upon the recommendation of the Secretary of the Interior, with the approval of the President, after sixty days' notice thereof, published in two papers of general circulation in the State or Territory wherein any forest reservation is situated, and near the said reservation, any

public lands embraced within the limits of any forest reservation which, after due examination by personal inspection of a competent person appointed for that purpose by the Secretary of the Interior, shall be found better adapted for mining or for agricultural purposes than for forest usage, may be restored to the public domain. And any mineral lands in any forest reservation which have been or which may be shown to be such, and subject to entry under the existing mining laws of the United States and the rules and regulations applying thereto, shall continue to be subject to such location and entry, notwithstanding any provisions herein contained. [30 Stat. L. 36.]

Sundry civil appropriation act of March 3, 1899, ch. 424, 30 Stat. L. 1074.

All standard, meander, township, and section lines of the public land surveys shall, as heretofore, be established under the direction and supervision of the Commissioner of the General Land Office, whether the lands to be surveyed are within or without reservations, except that where the exterior boundaries of public forest reservations are required to be coincident with standard, township, or section lines such boundaries may, if not previously established in the ordinary course of the public land surveys, be established and marked under the supervision of the Director of the United States Geological Survey whenever necessary to complete the survey of such exterior boundaries. [30 Stat. L. 1097.]

Surveys to be made by Commissioner of General Land Office.

Exception.

An Act Prohibiting the selection of timber lands in lieu of lands in forest reserves.

[Act of March 3, 1905, ch. 1495, 33 Stat. L. 1264.]

The Acts of June fourth, eighteen hundred and ninety-seven, June sixth, nineteen hundred, and March third, nineteen hundred and one, are hereby repealed so far as they provide for the relinquishment, selection, and patenting of lands in lieu of tracts covered by an unperfected bona fide claim or patent within a forest reserve, but the validity of contracts entered into by the Secretary of the Interior prior to the passage of this Act shall not be impaired: *Provided*, That selections heretofore made in lieu of lands relinquished to the United States may be perfected and patents issue therefor the same as though this Act had not been passed, and if for any reason not the fault of the party making the same any pending selection is held invalid another selection for a like quantity of land may be made in lieu thereof. [33 Stat. L. 1264.]

30 Stat. L. 36, ch. 2.
31 Stat. L. 614, ch. 791.
31 Stat. L. 1133, ch. 853.

No more lieu selections to be made for lands occupied by settlers in national forests.

Present selections to be perfected.

An act to repeal the timber-culture laws, and for other purposes.

[Act of March 3, 1891, ch. 561, 26 Stat. L. 1095.]

SEC. 18. That the right of way through the public lands and reservations of the United States is hereby granted to any canal or ditch company formed for the purpose of irrigation and duly organized under the laws

Rights of way granted to irrigation companies.

of any State or Territory, which shall have filed, or may hereafter file, with the Secretary of the Interior a copy of its articles of incorporation, and due proofs of its organization under the same, to the extent of the ground occupied by the water of the reservoir and of the canal and its laterals, and fifty feet on each side of the marginal limits thereof; also the right to take, from the public lands adjacent to the line of the canal or ditch, material, earth, and stone necessary for the construction of such canal or ditch: *Provided*, That no such right of way shall be so located as to interfere with the proper occupation by the Government of any such reservation, and all maps of location shall be subject to the approval of the Department of the Government having jurisdiction of such reservation, and the privilege herein granted shall not be construed to interfere with the control of water for irrigation and other purposes under authority of the respective States or Territories. [26 Stat. L. 1101.]

Government
occupation not
to be disturbed.

Maps to be
filed and ap-
proved.

Compensa-
tion to be paid
to persons in-
jured.

SEC. 19. That any canal or ditch company desiring to secure the benefits of this act shall, within twelve months after the location of ten miles of its canal, if the same be upon surveyed lands, and if upon unsurveyed lands, within twelve months after the survey thereof by the United States, file with the register of the land office for the district where such land is located a map of its canal or ditch and reservoir; and upon the approval thereof by the Secretary of the Interior the same shall be noted upon the plats in said office, and thereafter all such lands over which such rights of way shall pass shall be disposed of subject to such right of way. Whenever any person or corporation, in the construction of any canal, ditch, or reservoir, injures or damages the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

Rights under
this act for-
feited by non-
completion.

SEC. 20. That the provisions of this act shall apply to all canals, ditches, or reservoirs, heretofore or hereafter constructed, whether constructed by corporations, individuals, or association of individuals, on the filing of the certificates and maps herein provided for. If such ditch, canal, or reservoir, has been or shall be constructed by an individual or association of individuals, it shall be sufficient for such individual or association of individuals to file with the Secretary of the Interior, and with the register of the land office where said land is located, a map of the line of such canal, ditch, or reservoir, as in case of a corporation, with the name of the individual owner or owners thereof, together with the articles of association, if any there be. Plats heretofore filed shall have the benefits of this act from the date of their filing, as though filed under it: *Provided*, That if any section of said canal or ditch shall not be completed within five years after the location of said section, the rights herein

FOREST SERVICE.

granted shall be forfeited as to any uncompleted section of said canal, ditch, or reservoir, to the extent that the same is not completed at the date of the forfeiture.

SEC. 21. That nothing in this act shall authorize such canal or ditch company to occupy such right of way except for the purpose of said canal or ditch, and then only so far as may be necessary for the construction, maintenance, and care of said canal or ditch. [26 Stat. L. 1102.] Right of
for canal

The above act is amended by the act of May 11, 1898, ch. 292, 30 Stat. L. 404, as follows:

An Act To amend an Act to permit the use of the right of way through public lands for tramroads, canals, and reservoirs, and for other purposes.

SEC. 2. That the rights of way for ditches, canals, or reservoirs heretofore or hereafter approved under the provisions of sections eighteen, nineteen, twenty, and twenty-one of the Act entitled "An Act to repeal timber-culture laws, and for other purposes," approved March third, eighteen hundred and ninety-one, may be used for purposes of a public nature; and said rights of way may be used for purposes of water transportation, for domestic purposes, or for the development of power, as subsidiary to the main purpose of irrigation. [30 Stat. L. 404.] Rights
way may
used for sul-
lary purpos

An Act Relating to rights of way through certain parks, reservations, and other public lands.

[Act of February 15, 1901, ch. 372, 31 Stat. L. 790.]

The Secretary of the Interior * * * is authorized and empowered, under general regulations to be fixed by him, to permit the use of rights of way through the public lands, forest and other reservations of the United States, and the Yosemite, Sequoia, and General Grant national parks, California, for electrical plants, poles, and lines for the generation and distribution of electrical power, and for telephone and telegraph purposes, and for canals, ditches, pipes and pipe lines, flumes, tunnels, or other water conduits, and for water plants, dams, and reservoirs used to promote irrigation or mining or quarrying, or the manufacturing or cutting of timber or lumber, or the supplying of water for domestic, public, or any other beneficial uses to the extent of the ground occupied by such canals, ditches, flumes, tunnels, reservoirs, or other water conduits or water plants, or electrical or other works permitted hereunder, and not to exceed fifty feet on each side of the marginal limits thereof, or not to exceed fifty feet on each side of the center line of such pipes and pipe lines, electrical, telegraph, and telephone lines and poles, by any citizen, association, or corporation of the United States, where it is intended by such to exercise the use permitted hereunder or any one or more of the purposes herein named: *Provided*, That such permits shall be allowed within or through any of said parks or Licenses
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any forest, military, Indian, or other reservation only upon the approval of the chief officer of the Department under whose supervision such park or reservation falls and upon a finding by him that the same is not incompatible with the public interest: *Provided further*, That all permits given hereunder for telegraph and telephone purposes shall be subject to the provision of title sixty-five of the Revised Statutes of the United States, and amendments thereto, regulating rights of way for telegraph companies over the public domain: *And provided further*, That any permission given by the Secretary of the Interior under the provisions of this act may be revoked by him or his successor in his discretion, and shall not be held to confer any right, or easement, or interest in, to, or over any public land, reservation, or park. [31 Stat. L. 790.]

Telegraph and telephones subject to R. S., Tit. 65.

Licenses revocable and contain no easement.

An Act Providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture.
[Act of February 1, 1905, ch. 288, 33 Stat. L. 628.]

Pulp wood and wood pulp may be exported from Alaska. SEC. 2. That pulp wood or wood pulp manufactured from timber in the district of Alaska may be exported therefrom.

Forest officers to be selected from States and Territories where forests are situated. SEC. 3. That forest supervisors and rangers shall be selected, when practicable, from qualified citizens of the States or Territories in which the said reserves, respectively, are situated. [33 Stat. L. 628.]

Rights of way granted for certain purposes. SEC. 4. That rights of way for the construction and maintenance of dams, reservoirs, water plants, ditches, flumes, pipes, tunnels, and canals, within and across the forest reserves of the United States are hereby granted to citizens and corporations of the United States for municipal or mining purposes, and for the purposes of the milling and reduction of ores, during the period of their beneficial use, under such rules and regulations as may be prescribed by the Secretary of the Interior, and subject to the laws of the State or Territory in which said reserves are respectively situated. [33 Stat. L. 628.]

An act to amend section fifty-three hundred and eighty-eight of the Revised Statutes of the United States, in relation to timber depredations.

[Act of June 4, 1888, ch. 340, 25 Stat. L. 166.]

Penalty for unlawful cutting of timber on reserved lands. That section fifty-three hundred and eighty-eight of the Revised Statutes of the United States be amended so as to read as follows: "Every person who unlawfully cuts, or aids or is employed in unlawfully cutting, or wantonly destroys or procures to be wantonly destroyed, any timber standing upon the land of the United States which, in pursuance of law, may be reserved or purchased for military or other purposes, or upon any Indian reservation, or lands belonging to or occupied by any tribe of Indians under authority of the United States, shall pay a fine of not more than five hundred dollars or be imprisoned not

than twelve months, or both, in the discretion of the
t." [25 Stat. L. 166.]

t granting to railroads the right of way through the public lands of
the United States.

[Act of March 3, 1875, ch. 152, 18 Stat. L. 482.]

c. 5. That this act shall not apply to any lands Act does not
apply to na-
tional forests.
in the limits of any military, park, or Indian reserva-
or other lands specially reserved from sale, unless
right of way shall be provided for by treaty-stipula-
or by act of Congress heretofore passed. [18 Stat. L.
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ency appropriation act of March 3, 1899, ch. 427, 30 Stat. L. 1214.

the form provided by existing law the Secretary of Secretary of
Interior may
approve sur-
veys for rights
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ests at his dis-
cretion.
Interior may file and approve surveys and plats of
right of way for a wagon road, railroad, or other
way over and across any forest reservation or reser-
site when in his judgment the public interests will
be injuriously affected thereby. [30 Stat. L. 1233.]

ct To provide for the entry of Agricultural lands within forest re-
serves.

[Act of June 11, 1906, ch. 3074, 34 Stat. L. 233.]

he Secretary of Agriculture may, in his discretion, Secretary of
Agriculture au-
thorized to list
agricultural
lands for set-
tlement within
national for-
ests.
he is hereby authorized, upon application or other-
to examine and ascertain as to the location and ex-
of lands within permanent or temporary forest
rves, except the following counties in the State of
ornia, Inyo, Tulare, Kern, San Luis Obispo, Santa
bara, Ventura, Los Angeles, San Bernardino,
nge, Riverside, and San Diego; which are chiefly
able for agriculture, and which, in his opinion, may
occupied for agricultural purposes without injury to
forest reserves, and which are not needed for public
poses, and may list and describe the same by metes
bounds, or otherwise, and file the lists and descrip-
s with the Secretary of the Interior, with the request
the said lands be opened to entry in accordance with
provisions of the homestead laws and this Act. [34
t. L. 233.]

pon the filing of any such list or description the Sec- Secretary of
the Interior
shall open such
lands to entry.
ry of the Interior shall declare the said lands open to
estead settlement and entry in tracts not exceeding
hundred and sixty acres in area and not exceeding
mile in length, at the expiration of sixty days from
filing of the list in the land office of the district
in which the lands are located, during which period
said list or description shall be prominently posted
he land office and advertised for a period of not less
a four weeks in one newspaper of general circulation
lished in the county in which the lands are situated:
vided. That any settler actually occupying and in
d faith claiming such lands for agricultural purposes
or to January first, nineteen hundred and six, and who

Lands may
be described
by metes and
bounds.

Lands shall
be advertised.

shall not have abandoned the same, and the person, if qualified to make a homestead entry, upon whose application the land proposed to be entered was examined and listed, shall, each in the order named, have a preference right of settlement and entry: *Provided further*, That any entryman desiring to obtain patent to any lands described by metes and bounds entered by him under the provisions of this Act shall, within five years of the date of making settlement, file, with the required proof of residence and cultivation, a plat and field notes of the lands entered, made by or under the direction of the United States surveyor-general, showing accurately the boundaries of such lands, which shall be distinctly marked by monuments on the ground, and by posting a copy of such plat, together with a notice of the time and place of offering proof, in a conspicuous place on the land embraced in such plat during the period prescribed by law for the publication of his notice of intention to offer proof, and that a copy of such plat and field notes shall also be kept posted in the office of the register of the land office for the land district in which such lands are situated for a like period; and further, that any agricultural lands within forest reserves may, at the discretion of the Secretary, be surveyed by metes and bounds, and that no lands entered under the provisions of this Act shall be patented under the commutation provisions of the homestead laws, but settlers, upon final proof, shall have credit for the period of their actual residence upon the lands covered by their entries. [34 Stat. L. 233.]

Plat and field notes to be filed.

Notices shall be posted.

Secretary may survey by metes and bounds.

Commutation clause not applicable.

Additional right given to actual settlers prior to Jan. 1, 1906.

Entries in Black Hills under this Act subject to quartz and lode mining law.

Limitation concerning water rights to be made in patents to land in Black Hills.

SEC. 2. That settlers upon lands chiefly valuable for agriculture within forest reserves on January first, nineteen hundred and six, who have already exercised or lost their homestead privilege, but are otherwise competent to enter lands under the homestead laws, are hereby granted an additional homestead right of entry for the purposes of this Act only, and such settlers must otherwise comply with the provisions of the homestead law, and in addition thereto must pay two dollars and fifty cents per acre for lands entered under the provisions of this section, such payment to be made at the time of making final proof on such lands. [34 Stat. L. 234.]

SEC. 3. That all entries under this Act in the Black Hills Forest Reserve shall be subject to the quartz or lode mining laws of the United States, and the laws and regulations permitting the location, appropriation, and use of the waters within the said forest reserves for mining, irrigation, and other purposes; and no titles acquired to agricultural lands in said Black Hills Forest Reserve under this Act shall vest in the patentee any riparian rights to any stream or streams of flowing water within said reserve; and that such limitation of title shall be expressed in the patents for the lands covered by such entries. [34 Stat. L. 234.]

SEC. 4. That no homestead settlements or entries shall be allowed in that portion of the Black Hills Forest Reserve in Lawrence and Pennington counties in South Dakota [except the following described townships in the Black Hills Forest Reserve, in Pennington County, South Dakota, to wit: Townships one north, one east; two north, one east; one north, two east; two north, two east; one south, one east; two south, one east; one south, two east; and two south, two east. Black Hills meridian], except to persons occupying lands therein prior to January first, nineteen hundred and six, and the provisions of this Act shall apply to the said counties in said reserve only so far as is necessary to give and perfect title of such settlers or occupants to lands chiefly valuable for agriculture therein occupied or claimed by them prior to the said date, and all homestead entries under this Act in said counties in said reserve shall be described by metes and bounds survey. [34 Stat. L. 234.]

Lawrence and Pennington Counties, S. Dak., excepted from operation of act, except as to actual settlers prior to Jan. 1, 1906.

Section 4 is amended to read as above by the act of February 8, 1907, ch. 896, 34 Stat. L. 883, entitled "An Act Excepting certain lands in Pennington County, South Dakota, from the operation of the provisions of section four of an Act approved June eleventh, nineteen hundred and six, entitled 'An Act to provide for the entry of agricultural lands within forest reserves.'"

SEC. 5. That nothing herein contained shall be held to authorize any future settlement on any lands within forest reserves until such lands have been opened to settlement as provided in this Act, or to in any way impair the legal rights of any bona fide homestead settler who has or shall establish residence upon public lands prior to their inclusion within a forest reserve. [34 Stat. L. 234.]

Settlement before opening is trespass.

An Act Authorizing the use of earth, stone, and timber on the public lands and forest reserves of the United States in the construction of works under the national irrigation law.

[Act of February 8, 1905, ch. 552, 33 Stat. L. 706.]

In carrying out the provisions of the national irrigation law, approved June seventeenth, nineteen hundred and two, and in constructing works thereunder, the Secretary of the Interior is hereby authorized to use and to permit the use by those engaged in the construction of works under said law, under rules and regulations to be prescribed by him, such earth, stone, and timber from the public lands of the United States as may be required in the construction of such works, and the Secretary of Agriculture is hereby authorized to permit the use of earth, stone, and timber from the forest reserves of the United States for the same purpose, under rules and regulations to be prescribed by him. [33 Stat. L. 706.]

Secretary (of Agriculture) may permit the use of timber, earth and stone from national forests by Reclamation Service.

An Act For the protection of the public forest reserves and national parks of the United States.

[Act of February 6, 1905, ch. 456, 33 Stat. L. 700.]

All persons employed in the forest reserve and national park service of the United States shall have authority to

Forest officers empowered to arrest.

make arrests for the violation of the laws and regulations relating to the forest reserves and national parks, a person so arrested shall be taken before the United States commissioner, within whose jurisdiction the reservation or national park is located, for trial upon sworn information by any competent person. The United States commissioner in the proper jurisdiction shall issue process for the arrest of any person convicted with the violation of said laws and regulations; but nothing herein contained shall be construed as preventing the arrest by any officer of the United States, or process, of any person taken in the act of violating laws and regulations. [33 Stat. L. 700.]

An Act To authorize the Secretary of the Interior to rent or lease portions of forest reserve.

[Act of February 28, 1899, ch. 221, 30 Stat. L. 908.]

Lands near mineral, medicinal, or other springs may be rented.

The Secretary of the Interior * * * hereby authorized, under such rules and regulations as he from time to time may make, to rent or lease to responsible persons or corporations applying therefor suitable portions of ground near, or adjacent to, mineral, medicinal, or other springs, within any forest reserves established within the United States, or hereafter to be established, and where the public is accustomed or desires to resort for health or pleasure, for the purpose of erecting such leased ground sanitariums or hotels, to be open to the reception of the public. And he is further authorized to make such regulations, for the convenience of visiting such springs, with reference to spaces and accommodations, for the erection of tents or temporary dwellings or houses to be erected or constructed for the use of persons visiting such springs for health or pleasure. A Secretary of the Interior is authorized to prescribe the terms and duration and the compensation to be paid for the privileges granted under the provisions of this act. [30 Stat. L. 908.]

Rentals to constitute a special fund for the care of national forests.

Sec. 2. All funds arising from the privileges granted hereunder shall be covered into the Treasury of the United States as a special fund, to be expended in the interest of public forest reservations. [30 Stat. L. 908.]

An Act For the preservation of American antiquities.

[Act of June 8, 1906, ch. 3060, 34 Stat. L. 225.]

Destruction of historic and prehistoric monuments and ruins prohibited.

Any person who shall appropriate, excavate, injure, destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the Government of the United States, without the permission of the Secretary of the Department of the Interior having jurisdiction over the lands on which said antiquities are situated, shall, upon conviction, be fined in a sum of not more than five hundred dollars or be imprisoned for a period of not more than ninety

Penalty.

or shall suffer both fine and imprisonment, in the discretion of the court. [34 Stat. L. 225.]

SEC. 2. That the President of the United States is hereby authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected: *Provided*, That when such objects are situated upon a tract covered by a bona fide unperfected claim or held in private ownership, the tract, or so much thereof as may be necessary for the proper care and management of the object, may be relinquished to the Government, and the Secretary of the Interior is hereby authorized to accept the relinquishment of such tracts in behalf of the Government of the United States. [34 Stat. L. 225.]

Objects of historic or scientific interest may be reserved as national monuments.

SEC. 3. That permits for the examination of ruins, the excavation of archaeological sites, and the gathering of objects of antiquity upon the lands under their respective jurisdictions may be granted by the Secretaries of the Interior, Agriculture, and War to institutions which they may deem properly qualified to conduct such examination, excavation, or gathering, subject to such rules and regulations as they may prescribe: *Provided*, That the examinations, excavations, and gatherings are undertaken for the benefit of reputable museums, universities, colleges, or other recognized scientific or educational institutions, with a view to increasing the knowledge of such objects, and that the gatherings shall be made for permanent preservation in public museums. [34 Stat. L. 225.]

Permits may be granted by the Secretary of Agriculture to examine, excavate and collect portions of national monuments within national forests.

SEC. 4. That the Secretaries of the Departments aforesaid shall make and publish from time to time uniform rules and regulations for the purpose of carrying out the provisions of this Act. [34 Stat. L. 225.]

Uniform rules and regulations to be made by the Secretaries of the Interior, Agriculture and War.

[An act entitled "An Act For the protection of wild animals and birds in the Wichita Forest Reserve," act of January 24, 1905, ch. 137, 33 Stat. L. 614, appears on p. 185, *post*.]

[An act entitled "An Act For the protection of wild animals in the Grand Canyon Forest Reserve," act of June 29, 1906, ch. 3593, 34 Stat. L. 607, appears on p. 187, *post*.]

An act to set apart certain tracts of land in the State of California as forest reservations.

[Act of October 1, 1890, ch. 1263, 26 Stat. L. 650.]

The tracts of land in the State of California known as [and] described as follows: * * * are hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as reserved

Description of lands reserved.

forest lands; and all persons who shall locate or settle upon, or occupy the same or any part thereof, except as hereinafter provided, shall be considered trespassers and removed therefrom: *Provided, however,* That nothing in this act shall be construed as in anywise affecting the grant of lands made to the State of California by virtue of the act entitled "An act authorizing a grant to the State of California of the Yosemite Valley, and of the land embracing the Mariposa Big-Tree Grove, approved June thirtieth, eighteen hundred and sixty-four; or as affecting any bona-fide entry of land made within the limits above described under any law of the United States prior to the approval of this act. [26 Stat. L. 650.]

Yosemite and Mariposa grants excepted.

Prior bona-fide entries excepted.

Secretary (of Agriculture) to provide for protection and make rules and regulations.

SEC. 2. That said reservation shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury of all timber, mineral deposits, natural curiosities, or wonders within said reservation, and their retention in their natural condition. The Secretary may, in his discretion, grant leases for building purposes for terms not exceeding ten years of small parcels of ground not exceeding five acres; at such places in said reservation as shall require the erection of buildings for the accommodation of visitors; all of the proceeds of said leases and other revenues that may be derived from any source connected with said reservation to be expended under his direction in the management of the same and the construction of roads and paths therein. He shall provide against the wanton destruction of the fish, and game found within said reservation, and against their capture or destruction, for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same after the passage of this act to be removed therefrom, and, generally, shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act. [26 Stat. L. 651.]

Fish and game protected.

Removal of trespassers authorized.

Additional reservation.

No charge to be made against Treasury for such protection.

SEC. 3. There shall also be and is hereby reserved and withdrawn from settlement, occupancy or sale under the laws of the United States, and shall be set apart as reserved forest lands, as hereinbefore provided, and subject to all the limitations and provisions herein contained, the following additional lands, to wit; * * * Nothing in this act shall authorize rules or contracts touching the protection and improvement of said reservations, beyond the sums that may be received by the Secretary of the Interior under the foregoing provisions, or authorize any charge against the Treasury of the United States. [26 Stat. L. 651.]

Act amended by agricultural appropriation act of June 30, 1906, ch. 3913, 34 Stat. L. 684.

An Act To amend an Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January fourteenth, eighteen hundred and eighty-nine.

[Act of June 27, 1902, ch. 1157, 32 Stat. L. 400.]

In cutting the timber on two hundred thousand acres of the pine lands, to be selected as soon as practicable by the Forester of the Department of Agriculture, with the approval of the Secretary of the Interior, on the following reservations, to wit, Chippewas of the Mississippi, Leech Lake, Cass Lake, and Winnebigoishish, which said lands so selected shall be known and hereinafter described as "forestry lands," the purchaser shall be required to leave standing five per centum of the pine timber thereon for the purpose of reforestation, as hereinafter provided, said five per centum to be selected and reserved in such manner and under such rules and regulations as may be prescribed by the Forester of the Department of Agriculture and approved by the Secretary of the Interior: * * * [32 Stat. L. 402.]

Two hundred thousand acres of pine lands to be selected from certain Indian reservations in Minnesota.

Purchaser of timber required to leave 5 per cent standing.

* * * That on the forestry lands aforesaid, as soon as the merchantable pine timber now thereon shall have been removed from any tract, subdivision, or lot, as herein provided, such tract, subdivision, or lot shall, without further Act, resolution, or proclamation, forthwith become and be part of a forest reserve, the same as though set apart by proclamation of the President in accordance with the Act of Congress approved March third, eighteen hundred and ninety-one, and subsequent laws amending and supplementing the same, and shall be managed and protected in accordance with their provisions and the rules and regulations made and to be made in furtherance thereof: *And provided further*, That on said forestry lands aforesaid said pine timber shall be cut clean, except as to the five per centum as hereinbefore provided, and removed under the supervision and direction of the Forester of the Department of Agriculture, in accordance with rules and regulations to be prescribed by him and approved by the Secretary of the Interior, and the said Forester shall have power at all times to patrol and protect said lands and forests, and to enforce all rules and regulations made by him as aforesaid. [32 Stat. L. 403.]

After being cut over, lands to be administered as national forests.

Timber to be cut under direction of Forester.

Forester to protect and patrol.

As soon as practicable after the passage of this Act the Secretary of the Interior shall open to homestead settlement, as herein provided, the lands on all the reservations, or portions of reservations, which have been ceded to the United States by the Chippewa Indians in Minnesota, including the four reservations last aforesaid, which have been examined and found to be agricultural lands, and shall immediately proceed to have examined, as herein provided, the remaining lands, and shall without delay open to homestead settlement those found to be agricultural lands: *Provided*, That on the four reservations last aforesaid, where agricultural lands are included

Agricultural lands to be open to entry.

within or contiguous to forestry lands and are, in the opinion of the Forester of the Agricultural Department, necessary to the economical administration and protection of the same, said Forester shall, as soon as practicable after the passage of this Act as to those lands which have already been examined, and as to the lands not yet examined immediately after the examination and approval of the lists of said lands, of which approval said Forester shall be immediately notified by the Secretary of the Interior, file with the Secretary of the Interior schedules designating according to Government subdivisions said agricultural lands, not to exceed fifteen thousand acres of the lands already examined and not to exceed ten thousand acres of the lands yet to be examined, which said agricultural lands so designated shall not be offered for entry and settlement, but shall become and be a part of the forest reserve hereinbefore created. [32 Stat. L. 403.]

Except lands necessary for administrative purposes.

Expenses of administration not to be charged to Indians.

All the expenses incurred in carrying out the provisions of this Act as to the examining and listing of said lands, and the selling, cutting, and scaling of said timber, shall be paid by the Secretary of the Interior out of the proceeds of the sale of said timber: *Provided*, That no expense arising out of the forestry provision shall be charged to the Indians. [32 Stat. L. 404.]

Indian appropriation Act of March 3, 1905, ch. 1479, 33 Stat. L. 1048.

President to proclaim addition to the Uintah National Forest.

That before the opening of the Uintah Indian Reservation the President is hereby authorized to set apart and reserve as an addition to the Uintah Forest Reserve, subject to the laws, rules, and regulations governing forest reserves, and subject to the mineral rights granted by the Act of Congress of May twenty-seventh, nineteen hundred and two, such portion of the lands within the Uintah Indian Reservation as he considers necessary, and he may also set apart and reserve any reservoir site or other lands necessary to conserve and protect the water supply for the Indians or for general agricultural development, and may confirm such rights to water thereon as have already accrued: *Provided*, That the proceeds from any timber on such addition as may with safety be sold prior to June thirtieth, nineteen hundred and twenty, shall be paid to said Indians in accordance with the provisions of the Act opening the reservation. [33 Stat. L. 1070.]

An Act To exclude from the Yosemite National Park, California, certain lands therein described, and to attach and include the said lands in the Sierra Forest Reserve.

[Act of February 7, 1905, ch. 547, 33 Stat. L. 702.]

Description of lands segregated from Sierra National Forest and made subject to act of Oct. 1, 1890, 26 Stat. L. 650, ch. 1263.

The tracts of land in the State of California known and described as follows: * * * are hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as reserved forest lands, subject to all the provisions of the Act of Congress approved October first, eighteen hundred and ninety, entitled "An Act to set apart certain

tracts of land in the State of California as forest reservations:" *Provided*, That all those tracts or parcels of land described in section one of the said Act of October first, eighteen hundred and ninety, and not included within the metes and bounds of the land above described, be, and the same are hereby, included in and made part of the Sierra Forest Reserve: *And provided further*, That the Secretary of the Interior may require the payment of such price as he may deem proper for privileges on the land herein segregated from the Yosemite National Park and made a part of the Sierra Forest Reserve accorded under the Act approved February fifteenth, nineteen hundred and one, relating to rights of way over certain parks, reservations, and other lands, and other acts concerning rights of way over public lands; and the moneys received from the privileges accorded on the lands herein segregated and included in the Sierra Forest Reserve shall be paid into the Treasury of the United States, to be expended, under the direction of the Secretary of the Interior, in the management, improvement, and protection of the forest lands herein set aside and reserved, which shall hereafter be known as the "Yosemite National Park." [33 Stat. L. 702.]

Other lands to be made part of Sierra National Forest.

Privileges on land made part of Sierra National Forest under act of Feb. 15, 1901, 31 Stat. L. 790, ch. 372, to be subject to charge.

Money so received to constitute special fund for improvement and protection of Yosemite National Park.

SEC. 2. That none of the lands patented and in private ownership in the area hereby included in the Sierra Forest Reserve shall have the privileges of the lieu-land scrip provisions of the land laws, but otherwise to be in all respects under the laws and regulations affecting the forest reserves, and immediately upon the passage of this Act all laws, rules, and regulations affecting forest reservations, including the right to change the boundaries thereof by Executive proclamation, shall take effect and be in force within the limits of the territory excluded by this Act from the Yosemite National Park, except as herein otherwise provided. [33 Stat. L. 703.]

Lands included in Sierra National Forest are subject to all existing laws relating to national forests.

SEC. 3. That this Act shall take effect and be in force from and after its passage. [33 Stat. L. 703.]

Act immediately effective.

An Act To extend the provisions of the homestead laws to certain lands in the Yellowstone Forest Reserve.

[Act of March 15, 1906, ch. 950, 34 Stat. L. 62.]

The general provisions of the homestead laws of the United States * * * are hereby, extended to and over the surveyed lands in townships forty-eight, forty-nine, and fifty, and ranges one hundred and five and one hundred and six, within the Yellowstone Forest Reserve, and the said lands shall be subject to entry ninety days after the passage of this Act, within which ninety-day period the Secretary of Agriculture may set aside such portions of said lands as were not occupied by a bona fide settler January first, nineteen hundred and six, not to exceed in the aggregate one hundred and sixty acres, as may be necessary for forest reserve administrative pur-

Homestead laws extended to six townships in Yellowstone National Forest.

Commutation law not to apply. poses, which lands so set aside shall not be subject to settlement entry or location during the life of the forest reserve: *Provided*, That the commutation clause of the homestead laws shall not apply to the said lands, and any bona fide settler who made settlement on said lands prior to January first, nineteen hundred and six, and who had prior to that time lost or exercised his homestead right, may enter and perfect title to the lands settled upon by him as though his homestead right had not been lost or exercised, upon the payment of the sum of one dollar and twenty-five cents per acre for the land included in his entry at the time of making final proof. [34 Stat. L. 62.]

Bona fide settlers prior to Jan. 1, 1906, who have lost or exercised homestead right allowed to commute.

An Act Granting the Santa Fe and Grand Canyon Railroad Company right of way for railroad purposes through the Grand Canyon Forest Reserve in northern Arizona.

[Act of May 18, 1898, ch. 343, 30 Stat. L. 418.]

Santa Fe and Grand Canyon Railroad granted right of way through Grand Canyon National Forest.

27 Stat. L., 1064.

Grant subject to restrictions.

18 Stat. L., 482, ch. 152.

Timber not to be cut outside of right of way.

The Santa Fe and Grand Canyon Railroad Company, a corporation created and existing under the laws of the Territory of Arizona, is authorized to construct and maintain a railroad over and through the Grand Canyon Forest Reserve (heretofore reserved from entry or settlement and set apart as a public reservation by Benjamin Harrison, President of the United States, by proclamation of date the twentieth day of February, eighteen hundred and ninety-three), said railroad to enter the said Grand Canyon Forest Reserve at such a point on the southern boundary of said reserve in Coconino County, Arizona, as may be found to be the most feasible for the route of said railroad, running in a northerly direction from Williams, Arizona; thence proceeding by the most practicable route through a point at or near Lombard and the Bright Angel trail to the Indian Gardens, and from said Bright Angel trail in an easterly direction to the Little Colorado River; also to proceed by such side tracks, extensions, switches, and spurs as may be necessary to reach the various groups of mines in said forest reserve, all in said Coconino County; said right of way being granted subject to the rules and restrictions and carrying all the rights and privileges of an act entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March third, eighteen hundred and seventy-five, said Act being hereby made applicable to the right of way hereby granted: *Provided*, That no timber shall be cut by said railroad company for any purpose outside of the rights of way herein granted. [30 Stat. L. 418.]

An Act Granting right of way through the Pikes Peak Timber Land Reserve and the public lands to the Cripple Creek District Railway Company.

[Act of June 27, 1898, ch. 501, 30 Stat. L. 493.]

Cripple Creek District Railway granted right of way through Pikes Peak National Forest.

That the Cripple Creek District Railway Company, a corporation created and existing under the laws of the State of Colorado, be, and it hereby is, authorized to construct and maintain a railway over and through the Pikes Peak Timber Land Reserve (heretofore reserved from en-

try or settlement and set apart as a public reservation by Executive order), said railway to enter said Pikes Peak Timber Land Reserve at such a point on the eastern or northern boundary thereof in El Paso County, Colorado, as may be found to be the most feasible for the route of said railway, running in a westerly direction from Colorado Springs, Colorado, thence proceeding by the most practicable route through the reserve to the western boundary thereof; also, to proceed by such side tracks, extensions, switches, and spurs as may be necessary to reach any groups of mines in said forest reserve, all in said El Paso County; and the said railway company is hereby also granted right of way through the public lands to the town of Cripple Creek, in the said State of Colorado; said right of way being granted subject to the rules and restrictions and carrying all the rights and privileges of an Act entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March third, eighteen hundred and seventy-five, said Act being hereby made applicable to the right of way hereby granted: *Provided*, That no timber shall be cut by said railroad company for any purpose outside of the rights of way herein granted. [30 Stat. L. 493.]

Location.

Right of way
to Cripple
Creek, Colo.,
granted.
18 Stat. L.
482, ch. 152.

Cutting of
timber limited.

An Act Granting right of way through the Pikes Peak Timber Land Reserve and the public lands to the Cripple Creek Short-Line Railway Company.

[Act of July 8, 1898, ch. 645, 30 Stat. L. 729.]

That the Cripple Creek Short-Line Railway Company, a corporation created and existing under the laws of the State of Colorado, be, and it hereby is, authorized to construct and maintain a railway over and through the Pikes Peak Timber Land Reserve (heretofore reserved from entry or settlement and set apart as a public reservation by Executive order), said railway to enter said Pikes Peak Timber Land Reserve at such a point on the eastern or northern boundary thereof in El Paso County, Colorado, as may be found to be the most feasible for the route of said railway, running in a westerly direction from Colorado Springs, Colorado, thence proceeding by the most practicable route through the reserve to the western boundary thereof; also, to proceed by such side tracks, extensions, switches, and spurs as may be necessary to reach any groups of mines in said forest reserve, all in said El Paso County; and the said railroad company is hereby also granted right of way through the public lands to the town of Cripple Creek, in the said state of Colorado; said right of way being granted subject to the rules and restrictions and carrying all the rights and privileges of an Act entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March third, eighteen hundred and seventy-five, said Act being hereby made applicable to the right of way hereby granted: *Provided*, That no timber shall be cut by said railroad company

Cripple Creek
Short-Line
Railway granted
right of
way through
Pikes Peak
National Forest.
27 Stat. L.
1006, etc.

Location.

Right of way
to Cripple
Creek, Colo.

18 Stat. L.
482, ch. 152.

Timber not to be cut outside of right of way.

30 Stat. L. 493, ch. 501.

for any purpose outside of the rights of way herein granted: *And provided further*, That the right of way herein granted shall not interfere with the right of way on Government land through the Pikes Peak Timberland Reserve, granted by Act of Congress entitled: "An Act granting right of way through the Pikes Peak Timberland Reserve and the public lands to the Cripple Creek District Railway Company," approved June twenty-seventh, eighteen hundred and ninety-eight. [30 Stat. L. 729.]

An Act Granting the Saginaw Southern Railroad Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve.

[Act of January 10, 1899, ch. 44, 30 Stat. L. 783.]

Saginaw Southern Railroad granted right of way through San Francisco Mountains National Forest. 30 Stat. L. 1780.

The Saginaw Southern Railroad Company, a corporation created and existing under the laws of the Territory of Arizona, is authorized to construct and maintain a railroad over and through the San Francisco Mountains Forest Reserve (heretofore reserved from entry and settlement and set apart as a public reserve by William McKinley, President of the United States, by proclamation dated the seventeenth day of August, eighteen hundred and ninety-eight). Said railroad to be constructed upon and across the said San Francisco Mountains Forest Reserve from a point on the line of the Santa Fe Pacific Railroad Company at the town of Williams, in the county of Coconino, Territory of Arizona, thence in a southerly direction by the most practical route to the town of Jerome, in the county of Yavapai, Territory of Arizona; also to construct and maintain such side tracks, extensions, switches, and spurs as may be necessary to the convenient construction and maintenance of said railroad in the said counties of Coconino and Yavapai; said right of way being granted subject to the rules and restrictions and carrying all the rights and privileges of an Act entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March third, eighteen hundred and seventy-five, said Act being hereby made applicable to the right of way hereby granted: *Provided*, That no timber shall be cut by said railroad company for any purpose outside of the right of way herein granted. [30 Stat. L. 783.]

18 Stat. L. 482, ch. 152.

Cutting timber limited.

An Act To grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railroad purposes through the San Gabriel Forest Reserve.

[Act of February 28, 1899, ch. 223, 30 Stat. L. 910.]

Pasadena and Mount Wilson Railway granted right of way through San Gabriel National Forest. 27 Stat. L. 1049.

There is hereby granted to the Pasadena and Mount Wilson Railway Company, a corporation organized and existing under the laws of the State of California, and to its successors and assigns, authority to construct, maintain, and operate a railway for a distance of nine miles, more or less, over and through the San Gabriel Forest Reserve (heretofore reserved from entry and settlement

and set apart as a public reservation by Benjamin Harrison, President of the United States, by proclamation of date the twentieth day of December, anno Domini eighteen hundred and ninety-two), from the place in said forest reserve known as Rubio to the summit of the mountain known as Mount Lowe, in the Sierra Madre Mountains, in the county of Los Angeles and State of California, the course of said railway to be the same as that of the railroad now operated by said railway company from Rubio aforesaid to Alpine Tavern, the present terminus of said railroad, and from thence to the summit of said Mount Lowe, by the most practicable route; said right of way being hereby granted to said Pasadena and Mount Wilson Railway Company, but subject to the rights, privileges, rules, and restrictions of an Act entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March third, anno Domini eighteen hundred and seventy-five, said act being hereby made applicable to the right of way hereby granted: *Provided*, That no timber shall be cut by said railway company for any purpose outside of the right of way herein granted: *And provided further*, That said company shall give bond as provided by the regulations of the Secretary of the Interior prescribed under the law relating to forest reserves. [30 Stat. L. 910.]

Location.

18 Stat. L.
482, ch. 152.Timber cutting restricted.
Bond to be given.

SEC. 2. That in addition to such of the public ground as said railway company will be entitled to take, under and in accordance with the provisions of the said Act entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March third, anno Domini eighteen hundred and seventy-five, for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, the Secretary of the Interior is hereby authorized to sell, at the rate of one dollar and twenty-five cents per acre, to the said Pasadena and Mount Wilson Railway Company, its successors and assigns, for stations, hotels, astronomical observatories, seminaries of learning, and such other buildings and purposes as may be required in connection with said railway line, the following-described parcels of land along said right of way, to wit: The unsurveyed land described as the west half of the northwest quarter of the northwest quarter of section two, when regularly protracted, in township one north, range twelve west, San Bernardino meridian, containing twenty acres, more or less.

Sale to company of additional land for hotels, etc.

Also the tract or parcel of land described as follows, to wit: Beginning at a point in the easterly line of the two-hundred-foot right of way of the Pasadena and Mount Wilson Railway Company, which point is north twenty-seven degrees thirty minutes west nine hundred feet from the point where said right-of-way line crosses the north line of section three, township one north, range twelve west; running thence north sixty-two degrees forty min-

Additional lands.

utes east five hundred feet; thence north twenty-seven degrees thirty minutes west one thousand eight hundred and fifty feet; thence west three hundred and fifty feet, more or less, to the easterly line of the right of way aforesaid; thence southeasterly along said right of way to the place of beginning, containing twenty acres, more or less.

Also the unsurveyed lands described as the west half of the west half of the southeast quarter and the east half of the east half of the southwest quarter of section twenty-six, township two north, range twelve west, San Bernardino meridian, when regularly protracted, containing eighty acres, more or less.

Minerals, etc.,
excepted.

Also a tract of land consisting of forty acres at the terminus of said right of way at Mount Lowe: *Provided*, That all minerals, including coal, in all of said right of way and lands hereby granted are reserved to the United States.

Right of
way, etc., to
vest in succe-
sor, etc.

SEC. 3. That the said right of way and lands for stations, hotels, astronomical observatories, seminaries of learning, and other purposes granted hereby are intended for the use of said Pasadena and Mount Wilson Railway Company, its successors and assigns, and in case of the sale of said Pasadena and Mount Wilson Railway and its appurtenances by act of the corporation or under decree of court, all of the rights and benefits hereby granted shall vest in the owner or owners for the time being of said railway line and appurtenances. [30 Stat. L. 911.]

An Act To grant right of way over Government lands for a pipe line for the conveyance of water to Flagstaff, Arizona.
[Act of June 6, 1900, ch. 794, 31 Stat. L. 657.]

Flagstaff,
Arizona, grant-
ed right of way
through San
Francisco Na-
tional Forest,
etc., for pipe
line.

A right of way for a pipe line through sections twenty-six, thirty-six, township twenty-three north; sections two, twelve, fourteen, twenty-two, and twenty-eight, township twenty-two north, and sections four and sixteen, township twenty-one north, all in range seven east, Gila and Salt River meridian, in the San Francisco Forest Reserve, in the county of Coconino and Territory of Arizona, is hereby granted to the town of Flagstaff, a municipal corporation in said county and Territory, to the extent of the ground occupied by said pipe line and twenty-five feet on each side of the center line of the same.

Also the right to take from the lands adjacent to the lands hereby granted material, earth, stone, and timber necessary for the construction, maintenance, repair, and control of said pipe line.

Use of ma-
terials.

Control.

SEC. 2. That said pipe line when constructed shall be maintained and controlled exclusively for the use and benefit of the said town of Flagstaff by the municipal authorities thereof, and for the purpose only of conveying water through said pipe line to said town for its exclusive use and benefit.

Effect.

SEC. 3. That this Act shall take effect and be in force from and after its passage. [31 Stat. L. 657.]

An Act Granting the Central Arizona Railway Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve, in the Territory of Arizona.

[Act of February 25, 1903, ch. 757, 32 Stat. L. 907.]

Upon the conditions herein named the Central Arizona Railway Company, a corporation existing under the laws of the Territory of Arizona, is hereby granted a right of way, conformably to the Act entitled "An Act granting to railroads a right of way through the public lands of the United States," approved March third, eighteen hundred and seventy-five, and the existing regulations adopted thereunder, over and through the San Francisco Mountains Forest Reserve, in the Territory of Arizona, for a line of railroad from a point at or near Flagstaff, in the county of Coconino, Territory of Arizona, in a south-westerly direction by the most practicable route to the town of Jerome, in the county of Yavapai, Territory of Arizona, and thence in a southeasterly direction to the town of Globe, in the county of Gila, Territory of Arizona, with the right to construct and maintain all necessary side tracks, extensions, switches, spurs, and water stations: *Provided*, That as a condition to obtaining such right of way the said company shall be required to agree, in writing, to conform to such further regulations as may be prescribed by the Secretary of the Interior for the purpose of protecting the said forest reserve and conserving the purposes for which the reserve was established and is maintained; but said company shall not be authorized to take or cut any timber within the limits of said forest reserve outside of its said right of way. [32 Stat. L. 907.]

San Francisco Mountains National Forest, Arizona; Central Arizona Railway Company granted right of way through.
18 Stat. L. 482. Ch. 152.

Location.

Protection to forest required.

An Act For the protection of the Bull Run Forest Reserve and the sources of the water supply of the city of Portland, State of Oregon.

[Act of April 28, 1904, ch. 1774, 33 Stat. L. 526.]

From and after the date of the passage of this Act it shall be unlawful for any person or persons, except forest rangers and other persons employed by the United States to protect the forest, and Federal and State officers in the discharge of their duties, and the employees of the water board of the city of Portland, State of Oregon, to enter, for the purpose of grazing stock, upon any part of the reserve known as the Bull Run Forest Reserve, in the Cascade Mountains, in the State of Oregon, which reserve was established by proclamation of the President of the United States in eighteen hundred and ninety-two, as provided by section twenty-four of an Act of Congress entitled "An Act to repeal timber-culture laws, and for other purposes," approved March third, eighteen hundred and ninety-one, and which reserve includes within its area the water supply of the city of Portland, State of Oregon; and any person or persons, save those hereinbefore excepted, who shall engage in grazing stock, or who shall permit stock of any kind to graze within said Bull Run Forest Reserve, or who shall knowingly trespass

No entering of Bull Run National Forest for purpose of grazing allowed.

thereon, shall be deemed guilty of a misdemeanor, and on conviction thereof in the district court of the United States for the district of Oregon shall be fined not to exceed five hundred dollars, in the discretion of the court. And the Secretary of the Interior is hereby authorized and directed to enforce the provisions of this Act by all proper means at his command, and to exclude from said forest reserve stock of all kinds and all persons, save as hereinbefore excepted. [33 Stat. L. 526.]

Penalty.

An Act Granting the Edison Electric Company a permit to occupy certain lands for electric-power plants in the San Bernardino, Sierra, and San Gabriel forest reserves, in the State of California.

[Act of May 1, 1906, ch. 2076, 34 Stat. L. 163.]

Permit for right of way granted to Edison Electric Company.

Permit is revocable for breach of conditions.

Upon the conditions herein named the Edison Electric Company, a corporation existing under the laws of the State of Wyoming, and engaged in generating and distributing electric energy for use by municipalities and the public generally for lighting and power purposes, is hereby granted a permit, the duration of which shall be fixed by the Secretary of the Interior immediately after the passage of this Act, revocable during the term fixed by said Secretary only in the manner and for the causes hereinafter specified, to occupy and use lands, to be designated in the manner hereinafter specified, within the San Bernardino, Sierra, and San Gabriel forest reserves, in the State of California, for canals, conduit lines, pole lines, power houses, diverting dams, necessary grounds to be submerged above the diverting dams, and necessary buildings and structures for the water-power plants hereinafter described, for the generation, transmission, and distribution of electrical power, namely:

* * * * *

Permits for the construction of each of the foregoing power plants having been heretofore granted by the Interior or Agricultural Departments. [34 Stat. L. 164.]

Limitations of right of way.

SEC. 2. That the ground covered by the permit hereby granted shall include fifty feet on each side of the center of said canals or conduit lines and on each side of said pole lines, or so much thereof as may be actually necessary for their installation, maintenance, and use, and the ground actually occupied by and necessary for power houses, diverting dams, and necessary buildings and structures to be used in connection with the operation and maintenance of said water-power plants, together with fifty feet on each side of the marginal limits of all of such buildings and structures; or such portion of said fifty feet as may be actually necessary for the efficient operation and maintenance of said power plants, dams, and other structures; also the right to submerge and flood at the intake of each of said power plants within said forest reserves, not to exceed thirty acres in each case, such area only as may be actually necessary to divert

the water into the several canal or conduit lines for said several power plants. [34 Stat. L. 166.]

SEC. 3. That within six months after the passage of this Act the Edison Electric Company shall file with the register of the United States land office for the district where said power plants are located, and with the Forester of the Department of Agriculture, a map and such copies thereof as the Secretary of the Interior may prescribe, showing separately as to each power plant the ground occupied or proposed to be occupied by such canals or conduit lines, pole lines, power houses, and other buildings and structures used in connection with said electrical power plants. These maps shall show the dimensions of each building and structure and each diverting dam, and the areas which it will be necessary to submerge at the point of intake of each power plant and, after the filing of said maps, all lands covered by this permit as shown on the maps, or to be occupied by such buildings and structures as shown, together with such portion of fifty feet on each side of the marginal limits thereof as may be actually necessary for the operation of the power plants, and such land as may be submerged by the construction and operation of said power plants, shall, when disposed of by the Government, be disposed of subject to the rights hereby granted unless said rights shall have terminated or shall have been revoked as herein provided prior to such disposal. [34 Stat. L. 166.]

Maps to be filed with register of local land office and with the Forester; what maps shall show.

Sale of submerged land by Government, subject to rights granted.

SEC. 4. That said company shall conform to all regulations adopted or prescribed by the Secretary of Agriculture or the Secretary of the Interior governing said forest reserves, or the use or the users thereof, and shall not take, cut, or destroy any timber within the forest reserves except such as it may be actually necessary to remove to construct its power plants and the structures pertaining thereto, and it shall be required to pay to the proper officer of the Forest Service the full value of all timber and wood cut, used, or destroyed by it within the forest reserves. [34 Stat. L. 166.]

Timber destroyed to be paid for.

SEC. 5. That the privileges herein granted shall not be construed to interfere with the control of water for irrigation and other purposes under laws of the United States or of the State of California. [34 Stat. L. 166.]

Control of water for irrigation reserved to the State and the United States.

SEC. 6. That no private right, title, or interest owned by any person, persons, or corporation in such forest reserves shall be interfered with or abridged, except with the consent of the owner or owners, or by due process of law and just compensation to said owner or owners. [34 Stat. L. 166.]

Private rights protected.

SEC. 7. That if the said permittee shall fail to consummate and put in operation the said power plant specified in subdivision (f) of section one hereof within two years from the date of the passage of this Act, or the power

Rights under this act to be forfeited by non-completion of plants.

plant specified in subdivisions (g), (h), and (i) of section one hereof within five years from the passage of this Act; then as to each of said power plants not completed and put in operation within the time herein limited this permit shall be deemed to be revoked without judicial or other proceeding; and a failure during any year after completion to operate any power plant provided for in this Act for a total time of ninety days in such year shall operate as a like revocation of this permit as to such plant or plants. [34 Stat. L. 166.]

Permit is subject to laws, rules, and regulations relating to national forests.

SEC. 8. That the enjoyment of the permit hereby granted shall be subject at all times to all laws relating to the forest reserves, and to all rules and regulations authorized and established thereunder, and that for infraction of such laws, rules, or regulations the owner or user of said permit shall be subject to all fines and penalties imposed thereby, and shall also be liable in a civil action for all damages that may accrue from such breach, and that for any continued infraction of such laws, rules, or regulations, or failure to pay any amount due the Forest Service from said company within sixty days of notice thereof, the Secretary of the Department of the Interior may, upon request of the Secretary of Agriculture, after due notice and hearing, revoke and vacate this permit: *Provided*, That the transfer of any lands from the jurisdiction of one department to that of another shall in no wise affect this permit, but the power hereby vested in the Secretary shall, upon such transfer, be deemed to be transferred with the land. [34 Stat. L. 167.]

Permit revocable for continued breach.

Company to pay for privileges granted and for wood and timber.

SEC. 9. That the said company shall pay annually in advance to the proper officer of the Forest Service, as compensation for the privileges hereby granted, such reasonable sum as the Secretary of Agriculture may fix from year to year, and shall pay for wood or timber cut, removed, or destroyed as fast as the value thereof may be ascertained and charged by the Forester: *Provided*, That the Secretary of Agriculture, his agents and employees, and all officers of the Forest Service, shall have free and unrestricted access in, through, and across all lands and structures covered by said permit in the performance of their official duties, and the Secretary in charge of forest reserves may construct or permit to be constructed in, through, or across any land covered by said permit roads or trails, public or otherwise, or other means of transportation, not inconsistent with the enjoyment of the permit hereby granted: *Provided further*, That the Edison Electric Company shall, under penalty of immediate forfeiture of the permit hereby granted, when requested to do so, assist the forest officers in fighting fire, and shall furnish any men under its employ necessary for that purpose, and shall otherwise assist to the extent of its power in protecting the forest reserves and maintaining good order upon them. [34 Stat. L. 167.]

Rights of access of members of Forest Service not to be restricted.

Company to assist in fighting fire.

SEC. 10. That Congress shall have power at any time to amend, modify, or repeal this Act. [34 Stat. L. 167.] Right to amend, modify, or repeal reserved.

An Act Authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, California, certain public lands in California; and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timber Land Reserve, California, to the city of Los Angeles, California.

[Act of June 30, 1906, ch. 3928, 34 Stat. L. 801.]

There is hereby granted to the city of Los Angeles, California, a municipal corporation of the State of California, all necessary rights of way, not to exceed two hundred and fifty feet in width, over and through the public lands of the United States in the counties of Inyo, Kern, and Los Angeles, State of California, and over and through the Sierra and Santa Barbara forest reserves and the San Gabriel Timber Land Reserve, in said State, for the purpose of constructing, operating, and maintaining canals, ditches, pipes and pipe lines, flumes, tunnels, and conduits for conveying water to the city of Los Angeles, and for the purpose of constructing, operating, and maintaining power and electric plants, poles and lines for the generation and distribution of electric energy, together with such lands as the Secretary of the Interior may deem to be actually necessary for power houses, diverting and storage dams and reservoirs, and necessary buildings and structures to be used in connection with the construction, operation, and maintenance of said water, power, and electric plants, whenever said city shall have filed, as hereinafter provided, and the same shall have been approved by the Secretary of the Interior, a map or maps showing the boundaries, locations, and extent of said proposed rights of way for the purposes hereinabove set forth. [34 Stat. L. 801.]

Right of way granted to Los Angeles, Cal.; limitations.

Purposes of grant.

Maps to be approved by Secretary of Interior.

SEC. 2. Within one year after the passage of this Act the city of Los Angeles shall file with the registers of the United States Land offices in the districts where the lands traversed by said rights of way are located, a map or maps showing the boundaries, locations, and extent of said proposed rights of way, for the purposes stated in section one of this Act; but no construction work shall be commenced on said land until said map or maps have been filed as herein provided and approved by the Secretary of the Interior: *Provided, however,* That any changes of location of said rights of way may be made by said city of Los Angeles, within two years after the filing of said map or maps, by filing such additional map or maps as may be necessary to show such changes of location, said additional map or maps to be filed in the same manner as the original map or maps; and the approval of the Secretary of the Interior of said map or maps showing changes of location of said rights of way shall operate as an abandonment by the city of Los Angeles to

Maps to be filed within one year.

Changes may be made within two years after filing of map.

the extent of such change or changes, of the rights of way indicated on the original maps: *And provided further*, That any rights inuring to the city of Los Angeles under this Act shall, on the approval of the map or maps referred to herein by the Secretary of the Interior, relate back to the date of the filing of said map or maps with the register of the United States land office as provided herein. [34 Stat. L. 801.]

SEC. 3. That the rights of way hereby granted shall not be effective over any land upon which homestead, mining, or other existing valid claims shall have been filed or made until the city of Los Angeles shall have procured proper relinquishments of all such entries and claims, or acquired title by due process of law and just compensation paid to said entry men or claimants and caused proper evidence of such fact to be filed with the Secretary of the Interior: *Provided, however*, That this Act shall not apply to any lands embraced in rights of way heretofore approved under any Act of Congress, nor affect the adjudication of any pending applications for rights of way by the owner or owners of existing water rights, and that no private right, title, interest, or claim of any person, persons, or corporation, in or to any of the lands traversed by or embraced in said right of way shall be interfered with or abridged, except with the consent of the owner or owners or claimant or claimants thereof, or by due process of law, and just compensation paid to such owner or claimant. [34 Stat. L. 801.]

SEC. 4. That the city of Los Angeles shall conform to all regulations adopted and prescribed by the Secretary of Agriculture governing the forest reserves, and shall not take, cut, or destroy any timber within the forest reserves, except such as may be actually necessary to remove to construct its power plants and structures, poles and flumes, storage dams and reservoirs, and it shall pay to the Forest Service of the Department of Agriculture the full value of all timber and wood cut, used, or destroyed on any of the rights of way and lands within forest reserves hereby granted: *Provided further*, That

the city shall construct and maintain in good repair bridges or other practicable crossings over its rights of way within the forest reserves when and where directed in writing by the Forester of the United States Department of Agriculture, and elsewhere on public lands along the line of said works as required by the Secretary of the Interior; and said grantee shall, as said waterworks are completed, if directed by the Secretary of the Interior, construct and maintain along each side of said right of way a lawful fence as defined by the laws of the State of California, with such lanes or crossings for domestic animals as the aforesaid officers shall require: *Provided further*, That the city of Los Angeles shall clear its rights of way within forest reserves of any debris or inflam-

Rights to
relate back to
time of filing
maps.

Compensation
to be made for
valid claims.

Act not to
apply to rights
of way former-
ly granted or
applied for.

Payment to
be made for
timber de-
stroyed.

City to main-
tain bridges

and fences

and to keep
right of way
clear.

mable material as directed by the Forrester of the United States Department of Agriculture: *Provided further*, That the said city shall allow any wagon road which it may construct within forest reserves to be freely used by forest officers and the officers of the Interior Department and by the public, and shall allow to the Forest Service of the United States Department of Agriculture and to the officers of the Interior Department, for official business only, the free use of any telephones, telegraphs, or electric railroads it may construct and maintain within the forest reserves or on the public lands, together with the right to connect with any such telephone lines private telephone wires for the exclusive use of said Forest Service or of the Interior Department: *And provided further*, That the Forest Service may, within forest reserves, protect, use, and administer said land and resources within said rights of way under forest-reserve laws and regulations, but in so doing must not interfere with the full enjoyments of the right of way by the city of Los Angeles: *And provided further*, That in the event that the Secretary of the Interior shall abandon the project known as the Owens River project for the irrigation of lands in Inyo County, California, under the Act of June seventeenth, nineteen hundred and two, the city of Los Angeles, in said State, is to pay to the Secretary of the Interior, for the account of the reclamation fund established by said Act, the amount expended for preliminary surveys, examinations, and river measurements, not exceeding fourteen thousand dollars, and in consideration of said payment the said city of Los Angeles is to have the benefit of the use of the maps and field notes resulting from said surveys, examinations, and river measurements, and the preference right to acquire at any time within three years from the approval of this Act any lands now reserved by the United States under the terms of said reclamation Act in connection with said project, necessary for storage or right of way purposes, upon filing with the register and receiver of the land office in the land district where any such lands sought to be acquired are situated a map showing the lands desired to be acquired, and upon the approval of said map or maps by the Secretary of the Interior and upon the payment of one dollar and twenty-five cents per acre to the receiver of said land office title to said land so reserved and filed on shall vest in said city of Los Angeles, and such title shall be and remain in said city only for the purposes aforesaid, and shall revert to the United States in the event of the abandonment thereof for the purposes aforesaid: *Provided, however*, That the terms of this Act shall not apply to any lands upon Bishop Creek or its branches in said county of Inyo. [34 Stat. L. 802.]

City to allow use of wagon roads and

telephones to Forest Service and Department of Interior.

Forest Service may protect, use, and administer lands within right of way.

Rights of city protected.

Compensation to be made by city for expenses of Owens River project, if abandoned.

Los Angeles to have maps, field notes, etc., if Owens River project is abandoned.

Payment for land involved if taken by city.

Terms of act not to apply to Bishop Creek.

Lands sub-
ject to ease-
ments.

SEC. 5. That all lands over which the rights of way mentioned in this Act shall pass shall be disposed of subject to such easements: *Provided, however*, That if construction of said waterworks shall not have been begun in good faith within five years from the date of approval of this Act, or if after such period of five years there shall be a cessation of such construction for a period of three consecutive years, then all rights hereunder shall be forfeited to the United States. [34 Stat. L. 803.]

Forfeiture if
construction
delayed.

Alienation,
except to mu-
nicipalities,
prohibited.

SEC. 6. That the city of Los Angeles is prohibited from ever selling or letting to any corporation or individual, except a municipality, the right for such corporation or individual to sell or sublet the water sold or given to it or him by the city. [34 Stat. L. 803.]

Right to al-
ter, amend, or
repeal re-
served.

SEC. 7. That the right to amend, alter, or repeal this Act at any time is hereby reserved. [34 Stat. L. 803.]

An Act Granting to the city of Durango, in the State of Colorado, certain lands therein described for water reservoirs.

[Act of March 1, 1907, ch. 2288, 34 Stat. L. 1053.]

Lands grant-
ed to city of
Durango, Colo.,
for water-sup-
ply purposes.

The following-described tract of land situate in sus-
pended townships thirty-eight north, range six west,
and thirty-eight north, range seven west, New Mexico
principal meridian, in La Plata County, Colorado, within
the San Juan Forest Reserve, to wit: * * * subject

Use to be
made of land
granted.

to any former grant or conveyance affecting said lands,
be, and the same are hereby, granted and conveyed to
the city of Durango, county of La Plata and State of
Colorado, to have and to hold said lands to its use and
behooof forever for the purposes of water storage and
supply of its waterworks and the protection of its water
supply, and for such purposes said city shall forever
have the right in its discretion to control and use any
and all parts of the said premises herein granted and
conveyed in the construction of reservoirs, conduits, and
flumes, and in the laying of pipes and mains and in mak-
ing such improvements as may be necessary to store,
utilize, protect from pollution, and enjoy the waters con-
tained in any natural or constructed reservoir, basins,

Payment to
be made.

or waterways upon said premises: *Provided*, That the
city of Durango shall pay for said land the sum of one
dollar and twenty-five cents per acre: *Provided further*,

Lands sub-
ject to patrol
and protection
by Forest Ser-
vice.

That the Forest Service of the United States Department
of Agriculture shall have full power to patrol the said
lands and to protect them from fire and trespass: *Pro-*

Forest Ser-
vice to dispose
of timber, ex-
cept as pro-
vided.

vided further, That the Forest Service may dispose of
the timber upon the said lands, except so much thereof
as may be growing within one hundred feet from the
margin of any natural or constructed reservoir or of the
main creeks within the said boundary flowing into such
reservoirs under such additional rules for lumbering,
to protect said waters from pollution, as shall be pre-
scribed by the Forester and approved by the mayor of

the city of Durango: *And provided further*, That if said city shall fence all or any part of said lands it shall provide practicable gates in such fence at points to be designated by the supervisor of the San Juan Forest reserve. [34 Stat. L. 1053.] Gates to be provided, if fences made.

SEC. 2. That if the said city of Durango shall, at any time hereafter, abandon the lands above described and cease to use the same for said purposes said above-described lands shall revert to the Government of the United States. [34 Stat. L. 1054.] Lands to revert to Government if abandoned or not used for purposes mentioned.

An Act To grant certain lands to the city of Boulder, Colorado.

[Act of March 2, 1907, ch. 2526, 34 Stat. L. 1223.]

The following-described tracts of land, situate in the county of Boulder, Colorado, * * * containing one thousand five hundred and fifty-seven and eighty-seven one-hundredths acres of land, more or less, be, and the same is hereby, granted and conveyed to the city of Boulder, in the county of Boulder and State of Colorado, upon the payment of one dollar and twenty-five cents per acre by said city to the United States, to have and to hold said lands to its use and behoof forever for purposes of water storage and supply of its waterworks; and for said purposes said city shall forever have the right, in its discretion, to control and use any and all parts of the premises herein conveyed, and in the construction of reservoirs, laying such pipes and mains, and in making such improvements as may be necessary to utilize the water contained in any natural or constructed reservoirs upon said premises: *Provided, however*, That the grant hereby made is, and the patent issued hereunder shall be, subject to all legal rights heretofore acquired by any person or persons in or to the above-described premises, or any part thereof, and now existing under and by virtue of the laws of the United States. [34 Stat. L. 1223.] Lands to be conveyed to city of Boulder for water storage purposes upon payment.

Act Providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture.

[Act of February 1, 1905, ch. 288, 33 Stat. L. 628.]

SEC. 5. That all money received from the sale of any products or the use of any land or resources of said forest reserves shall be covered into the Treasury of the United States and for a period of five years from the passage of this Act shall constitute a special fund available, until expended, as the Secretary of Agriculture may direct, for the protection, administration, improvement, and extension of Federal forest reserves. [33 Stat. L. 628.] Special fund created from all national forest receipts.

Agricultural appropriation act of June 30, 1906, ch. 3913, 34 Stat. L. 669.

That the forest-reserve special fund provided for in section five of the Act approved February first, nineteen hundred and five, entitled "An Act providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture." shall Expenditures from special fund.

continue until otherwise provided by law; but after June thirtieth, nineteen hundred and eight, it shall not be expended except in accordance with specific estimates of expenditures to be made from said fund for the succeeding fiscal year, to be submitted by the Secretary of Agriculture with the estimates of appropriation in the annual Book of Estimates. [34 Stat. L. 684.]

Specific estimates must be made.

Timber-sales rules made uniform.

Deposit of national forest receipts.

Special fund available to refund in cases of excess deposits.

Co operative contributions to constitute a special fund for co operative work.

Fund available for refund in case of excess deposits by contributors.

* * * and hereafter sales of timber on forest reserves in the State of California shall in every respect conform to the law governing such sales in other States, as set forth in the Act of June sixth, nineteen hundred (Thirty-first Statutes at Large, page six hundred and sixty-one); and hereafter all moneys received as deposits to secure the purchase price on the sale of any products or the use of any land or resources of the forest reserves shall be covered into the Treasury in the manner provided by section five of the Act of Congress approved February first, nineteen hundred and five, entitled "An Act providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture," and the fund created by that Act shall be available, as the Secretary of Agriculture may direct, to make refunds to depositors of money heretofore or hereafter deposited by them in excess of amounts actually due to the United States; and hereafter all moneys received as contributions toward cooperative work in forest investigations shall be covered into the Treasury and shall constitute a special fund, which is hereby appropriated and made available until expended, as the Secretary of Agriculture may direct, for the payment of the expenses of said investigations by the Forest Service and for refunds to the contributors of amounts heretofore or hereafter paid in by them in excess of their share of the cost of said investigations. [34 Stat. L. 684.]

The special fund for the protection, administration, improvement, and extension of the national forests was discontinued by the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1269.

Appropriation for Forest Service.

Forest experiments and investigations.

Timber testing and preservation.

Buildings.

Agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256. GENERAL EXPENSES, FOREST SERVICE: To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, forest reserves, which shall be known hereafter as national forests, forest fires, and lumbering; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building erected shall not

exceed one thousand dollars; to pay all expenses necessary to protect, administer, improve, and extend the national forests; and hereafter officials of the Forest Service designated by the Secretary of Agriculture shall, in all ways that are practicable, aid in the enforcement of the laws of the States or Territories with regard to stock, for the prevention and extinguishment of forest fires, and for the protection of fish and game. [34 Stat. 1269.]

Forest officers to assist in enforcing State laws.

To ascertain the natural conditions upon and utilize the national forests; and the Secretary of Agriculture may, in his discretion, permit timber and other forest products cut or removed from the national forests of the United States, except the Black Hills National Forest in South Dakota, to be exported from the State, Territory, or the district of Alaska, in which said forests are respectively situated: *Provided*, That the exportation of dead and insect-infected timber only from said Black Hills National Forest shall be allowed until such time as the Forester shall certify that the ravages of the destructive insects in said forest are practically checked, but in no case after July first, nineteen hundred and eight; to transport and care for fish and game supplied to stock the national forests or the waters therein; to employ fiscal and other agents, clerks, assistants, and other labor required in practical forestry, in the administration of national forests in the District of Columbia or elsewhere; and hereafter he may dispose of photographic prints (including bromide enlargements), lantern slides, transparencies, blueprints, and forest maps at cost and ten per centum additional, and condemned property or materials under his charge in the same manner as provided by law for other bureaus; to collate, digest, report, illustrate, and print the results of experiments and investigations made by the Forest Service; to purchase law books to an amount not exceeding five hundred dollars, necessary supplies, apparatus, office fixtures, and technical books and technical journals for officers of the Forest Service stationed outside of Washington; and to pay freight, express, telegraph, and telephone charges, and for electric light and power, fuel, gas, ice, washing towels, and traveling and other necessary expenses, * * *. And hereafter the employees of the Forest Service outside of the city of Washington may, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leaves of absence not to exceed fifteen days in any one year, which leave may, in exceptional and meritorious cases where such an employee is ill, be extended, in the discretion of the Secretary of Agriculture, not to exceed fifteen days additional in any one year. [34 Stat. L. 1270.]

Forest products may be exported from State or Territory.

From Black Hills National Forest, only dead and insect-infected timber may be exported.

Transportation of fish and game provided for.

Employees.

Photographs may be sold.

Results of experiments to be published.

Supplies to be purchased.

Miscellaneous expenditures.

Leave of absence for employees.

* * * * *

Appropriation for permanent improvements. And there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of * * * to be expended as the Secretary of Agriculture

may direct for the proper and economical administration, protection, and development of the national forests, * * * of which amount is to be immediately

Reports and estimates to be made to Congress by the Secretary of Agriculture. available: *Provided*, That hereafter on or before the first day of January of each year the Secretary of Agriculture shall submit to Congress classified and detailed reports of all receipts by the Forest Service and classified and detailed estimates of all expenditures intended for this service for the next fiscal year and detailed reports of all expenditures under any appropriation for such service

during the preceding fiscal year: *Provided further*, That all money received after July first, nineteen hundred and seven, by or on account of the Forest Service for timber, or from any other source of forest reservation revenue, shall be covered into the Treasury of the United States as a miscellaneous receipt and there is hereby appropriated and made available as the Secretary of Agriculture may direct out of any funds in the Treasury not otherwise ap-

Deposits in special fund discontinued. propriated, so much as may be necessary to make refunds to depositors of money heretofore or hereafter deposited by them to secure the purchase price on the sale of any products or for the use of any land or resources of the national forests in excess of amounts found actually due from them to the United States: *And provided further*,

Refunds provided for. That ten per centum of all money received from each forest reserve during any fiscal year, including the year ending June thirtieth, nineteen hundred and six, shall be paid at the end thereof by the Secretary of the Treasury to the State or Territory in which said reserve is situated, to be expended as the State or Territorial legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the forest reserve is situated: *Provided further*, That when any forest reserve is in more than one State or Territory or county the distributive share to each from the proceeds of said reserve shall be proportional to its area therein: *And provided further*, That there shall not be paid to any State or Territory for any county an amount equal to more than forty per centum of the total income of such

Ten per cent of receipts to be paid to States and Territories for use of roads and schools. county from all other sources: *Provided further*, That hereafter no forest reserve shall be created, nor shall any additions be made to one heretofore created within the limits of the States of Oregon, Washington, Idaho, Montana, Colorado, or Wyoming, except by Act of Congress.

In States named, no forest reserves are to be created, or any extended in certain States, except by act of Congress. [34 Stat. L. 1270.]

BUREAU OF CHEMISTRY.

An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes.

[Act of August 30, 1890, ch. 839, 26 Stat. L. 414.]

[The portions of the act here omitted relate to the inspection of meats for exportation; see "Bureau of Animal Industry," p. 102, *ante*.]

SEC. 2. That it shall be unlawful to import into the United States any adulterated or unwholesome food or drug or any vinous, spirituous or malt liquors, adulterated or mixed with any poisonous or noxious chemical, drug or other ingredient injurious to health. Any person who shall knowingly import into the United States any such adulterated food or drug, or drink, knowing or having reasons to believe the same to be adulterated, being the owner or the agent of the owner, or the consignor or consignee of the owner, or in privity with them, assisting in such unlawful act, shall be deemed guilty of a misdemeanor, and liable to prosecution therefor in the district court of the United States for the district into which such property is imported; and, on conviction, such person shall be fined in a sum not exceeding one thousand dollars for each separate shipment, and may be imprisoned by the court for a term not exceeding one year, or both, at the discretion of the court. [26 Stat. L. 415.]

Importation of adulterated foods, drugs, or liquors prohibited; penalty.

SEC. 3. That any article designed for consumption as human food or drink, and any other article of the classes or description mentioned in this act, which shall be imported into the United States contrary to its provisions, shall be forfeited to the United States, and shall be proceeded against under the provisions of chapter eighteen of title thirteen of the Revised Statutes of the United States; and such imported property so declared forfeited may be destroyed or returned to the importer for exportation from the United States after the payment of all costs and expenses, under such regulations as the Secretary of the Treasury may prescribe; and the Secretary of the Treasury may cause such imported articles to be inspected or examined in order to ascertain whether the same have been so unlawfully imported. [26 Stat. L. 415.]

Forfeiture of imported adulterated foods, drugs, or liquors; proceedings; inspection.

SEC. 4. That whenever the President is satisfied that there is good reason to believe that any importation is being made, or is about to be made, into the United States, from any foreign country, of any article used for human food or drink that is adulterated to an extent dangerous to the health or welfare of the people of the United States, or any of them, he may issue his proclamation suspending the importation of such articles from such country for such period of time as he may think necessary to prevent such importation; and during such period

Suspension of importation of adulterated articles.

it shall be unlawful to import into the United States from the countries designated in the proclamation of the President any of the articles importation of which is so suspended. [26 Stat. L. 415.]

Suspension of importation of products from countries making unjust discriminations.

SEC. 5. That whenever the President shall be satisfied that unjust discriminations are made by or under the authority of any foreign state against the importation to or sale in such foreign state of any product of the United States, he may direct that such products of such foreign state so discriminating against any product of the United States as he may deem proper shall be excluded from importation to the United States; and in such case he shall make proclamation of his direction in the premises, and therein name the time when such direction against importation shall take effect, and after such date the importation of the articles named in such proclamation shall be unlawful. The President may at any time revoke, modify, terminate, or renew any such direction as, in his opinion, the public interest may require. [26 Stat. L. 415.]

[An act entitled "An Act To prevent a false branding or marking of food and dairy products as to the State or Territory in which they are made or produced," act of July 1, 1902, ch. 1357, 32 Stat. L. 632, appears on p. 110. *untc.*]

An Act For preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes.

[Act of June 30, 1906, ch. 3915, 34 Stat. L. 768.]

Manufacture of adulterated or misbranded foods or drugs, in Territories or District of Columbia unlawful; penalty.

That it shall be unlawful for any person to manufacture within any Territory or the District of Columbia any article of food or drug which is adulterated or misbranded, within the meaning of this Act; and any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and for each offense shall, upon conviction thereof, be fined not to exceed five hundred dollars or shall be sentenced to one year's imprisonment, or both such fine and imprisonment, in the discretion of the court, and for each subsequent offense and conviction thereof shall be fined not less than one thousand dollars or sentenced to one year's imprisonment, or both such fine and imprisonment, in the discretion of the court. [34 Stat. L. 768.]

Interstate or foreign commerce in adulterated or misbranded foods or drugs prohibited; penalty; articles for export.

SEC. 2. That the introduction into any State or Territory or the District of Columbia from any other State or Territory or the District of Columbia, or from any foreign country, or shipment to any foreign country of any article of food or drugs which is adulterated or misbranded, within the meaning of this Act, is hereby prohibited; and any person who shall ship or deliver for shipment from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, or to a foreign country, or who shall receive in any State or Territory or the District of Columbia from any other State or Territory or the

District of Columbia, or foreign country, and having so received, shall deliver, in original unbroken packages, for pay or otherwise, or offer to deliver to any other person, any such article so adulterated or misbranded within the meaning of this Act, or any person who shall sell or offer for sale in the District of Columbia or the Territories of the United States any such adulterated or misbranded foods or drugs, or export or offer to export the same to any foreign country, shall be guilty of a misdemeanor, and for such offense be fined not exceeding two hundred dollars for the first offense; and upon conviction for each subsequent offense not exceeding three hundred dollars or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided*, That no article shall be deemed misbranded or adulterated within the provisions of this Act when intended for export to any foreign country and prepared or packed according to the specifications or directions of the foreign purchaser when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is intended to be shipped; but if said article shall be in fact sold or offered for sale for domestic use or consumption, then this proviso shall not exempt said article from the operation of any of the other provisions of this Act. [34 Stat. L. 768.]

Sec. 3. That the Secretary of the Treasury, the Secretary of Agriculture, and the Secretary of Commerce and Labor shall make uniform rules and regulations for carrying out the provisions of this Act, including the collection and examination of specimens of foods and drugs manufactured or offered for sale in the District of Columbia, or in any Territory of the United States, or which shall be offered for sale in unbroken packages in any State other than that in which they shall have been respectively manufactured or produced, or which shall be received from any foreign country, or intended for shipment to any foreign country, or which may be submitted for examination by the chief health, food, or drug officer of any State, Territory, or the District of Columbia, or at any domestic or foreign port through which such product is offered for interstate commerce, or for export or import between the United States and any foreign port or country. [34 Stat. L. 768.]

Sec. 4. That the examinations of specimens of foods and drugs shall be made in the Bureau of Chemistry of the Department of Agriculture, or under the direction and supervision of such Bureau, for the purpose of determining from such examinations whether such articles are adulterated or misbranded within the meaning of this Act; and if it shall appear from any such examination that any of such specimens is adulterated or misbranded within the meaning of this Act, the Secretary of Agriculture shall cause notice thereof to be given to the party

Regulations for carrying out provisions of act; collection and examination of specimens of foods and drugs.

Examinations of specimens of foods and drugs; notice of adulteration or misbranding to party, and hearing thereon; certification of violations to district attorney; publication of judgment of court.

from whom such sample was obtained. Any party so notified shall be given an opportunity to be heard, under such rules and regulations as may be prescribed as aforesaid, and if it appears that any of the provisions of this Act have been violated by such party, then the Secretary of Agriculture shall at once certify the facts to the proper United States district attorney, with a copy of the results of the analysis or the examination of such article duly authenticated by the analyst or officer making such examination, under the oath of such officer. After judgment of the court, notice shall be given by publication in such manner as may be prescribed by the rules and regulations aforesaid. [34 Stat. L. 769.]

Duty of district attorneys to prosecute for violations of act.

SEC. 5. That it shall be the duty of each district attorney to whom the Secretary of Agriculture shall report any violation of this Act, or to whom any health or food or drug officer or agent of any State, Territory, or the District of Columbia shall present satisfactory evidence of any such violation, to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States, without delay, for the enforcement of the penalties as in such case herein provided. [34 Stat. L. 769.]

Terms "drug" and "food" defined.

SEC. 6. That the term "drug," as used in this Act, shall include all medicines and preparations recognized in the United States Pharmacopœia or National Formulary for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation, or prevention of disease of either man or other animals. The term "food," as used herein, shall include all articles used for food, drink, confectionery, or condiment by man or other animals, whether simple, mixed, or compound. [34 Stat. L. 769.]

Adulterations defined; drugs; confectionery; food.

SEC. 7. That for the purposes of this Act an article shall be deemed to be adulterated:

In case of drugs:

First. If, when a drug is sold under or by a name recognized in the United States Pharmacopœia or National Formulary, it differs from the standard of strength, quality, or purity, as determined by the test laid down in the United States Pharmacopœia or National Formulary official at the time of investigation: *Provided*, That no drug defined in the United States Pharmacopœia or National Formulary shall be deemed to be adulterated under this provision if the standard of strength, quality, or purity be plainly stated upon the bottle, box, or other container thereof although the standard may differ from that determined by the test laid down in the United States Pharmacopœia or National Formulary.

Second. If its strength or purity fall below the professed standard or quality under which it is sold.

In the case of confectionery:

If it contain terra alba, barytes, talc, chrome yellow, or other mineral substance or poisonous color or flavor, or

other ingredient deleterious or detrimental to health, or any vinous, malt, or spirituous liquor or compound or narcotic drug.

In the case of food:

First. If any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

Second. If any substance has been substituted wholly or in part for the article.

Third. If any valuable constituent of the article has been wholly or in part abstracted.

Fourth. If it be mixed, colored, powdered, coated, or stained in a manner whereby damage or inferiority is concealed.

Fifth. If it contain any added poisonous or other added deleterious ingredient which may render such article injurious to health: *Provided*, That when in the preparation of food products for shipment they are preserved by any external application applied in such manner that the preservative is necessarily removed mechanically, or by maceration in water, or otherwise, and directions for the removal of said preservative shall be printed on the covering or the package, the provisions of this Act shall be construed as applying only when said products are ready for consumption.

Sixth. If it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that has died otherwise than by slaughter. [34 Stat. L. 769.]

Sec. 8. That the term "misbranded," as used herein, shall apply to all drugs, or articles of food, or articles which enter into the composition of food, the package or label of which shall bear any statement, design, or device regarding such article, or the ingredients or substances contained therein which shall be false or misleading in any particular, and to any food or drug product which is falsely branded as to the State, Territory, or country in which it is manufactured or produced.

Misbranding defined; drugs; food.

That for the purposes of this Act an article shall also be deemed to be misbranded:

In case of drugs:

First. If it be an imitation of or offered for sale under the name of another article.

Second. If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any such substances contained therein.

In the case of food:

First. If it be an imitation of or offered for sale under the distinctive name of another article.

Second. If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucane, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any of such substances contained therein.

Third. If in package form, and the contents are stated in terms of weight or measure, they are not plainly and correctly stated on the outside of the package.

Fourth. If the package containing it or its label shall bear any statement, design, or device regarding the ingredients or the substances contained therein, which statement, design, or device shall be false or misleading in any particular: *Provided*, That an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following cases:

First. In the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food, under their own distinctive names, and not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where said article has been manufactured or produced.

Second. In the case of articles labeled, branded, or tagged so as to plainly indicate that they are compounds, imitations, or blends, and the word "compound," "imitation," or "blend," as the case may be, is plainly stated on the package in which it is offered for sale: *Provided*, That the term blend as used herein shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purpose of coloring and flavoring only: *And provided further*, That nothing in this Act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredient to disclose their trade formulas, except in so far as the provisions of this Act may require to secure freedom from adulteration or misbranding. [34 Stat. L. 770.]

Guaranty
signed by
wholesaler, job-
ber, manufac-
turer, etc., as
protection to
dealer from
prosecution.

SEC. 9. That no dealer shall be prosecuted under the provisions of this Act when he can establish a guaranty signed by the wholesaler, jobber, manufacturer, or other party residing in the United States, from whom he purchases such articles, to the effect that the same is not

adulterated or misbranded within the meaning of this Act, designating it. Said guaranty, to afford protection, shall contain the name and address of the party or parties making the sale of such articles to such dealer, and in such case said party or parties shall be amenable to the prosecutions, fines, and other penalties which would attach, in due course, to the dealer under the provisions of this Act. [34 Stat. L. 771.]

SEC. 10. That any article of food, drug, or liquor that is adulterated or misbranded within the meaning of this Act, and is being transported from one State, Territory, District, or insular possession to another for sale, or, having been transported, remains unloaded, unsold, or in original unbroken packages, or if it be sold or offered for sale in the District of Columbia or the Territories, or insular possessions of the United States, or if it be imported from a foreign country for sale, or if it is intended for export to a foreign country, shall be liable to be proceeded against in any district court of the United States within the district where the same is found, and seized for confiscation by a process of libel for condemnation. And if such article is condemned as being adulterated or misbranded, or of a poisonous or deleterious character, within the meaning of this Act, the same shall be disposed of by destruction or sale, as the said court may direct, and the proceeds thereof, if sold, less the legal costs and charges, shall be paid into the Treasury of the United States, but such goods shall not be sold in any jurisdiction contrary to the provisions of this Act or the laws of that jurisdiction: *Provided, however,* That upon the payment of the costs of such libel proceedings and the execution and delivery of a good and sufficient bond to the effect that such articles shall not be sold or otherwise disposed of contrary to the provisions of this Act, or the laws of any State, Territory, District, or insular possession, the court may by order direct that such articles be delivered to the owner thereof. The proceedings of such libel cases shall conform, as near as may be, to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in any such case, and all such proceedings shall be at the suit of and in the name of the United States. [34 Stat. L. 771.]

SEC. 11. The Secretary of the Treasury shall deliver to the Secretary of Agriculture, upon his request from time to time, samples of foods and drugs which are being imported into the United States or offered for import, giving notice thereof to the owner or consignee, who may appear before the Secretary of Agriculture, and have the right to introduce testimony, and if it appear from the examination of such samples that any article of food or drug offered to be imported into the United States is adulterated or misbranded within the meaning of this

Seizure of articles adulterated or misbranded, in interstate or foreign commerce, or sold, etc., in Territories or District of Columbia, etc.; disposition of articles condemned and proceeds thereof; delivery to owner on bond, etc.; proceedings for seizure and condemnation.

Examination of samples of foods and drugs imported, etc., on notice to, and hearing of consignee; refusal of admission and delivery to consignee of adulterated or misbranded, etc., articles; delivery to consignee pending examination

and decision on bond, etc.; charges for storage, etc., on goods refused admission, and lien therefor against subsequent importation.

Act, or is otherwise dangerous to the health of the people of the United States, or is of a kind forbidden entry into, or forbidden to be sold or restricted in sale in the country in which it is made or from which it is exported, or is otherwise falsely labeled in any respect, the said article shall be refused admission, and the Secretary of the Treasury shall refuse delivery to the consignee and shall cause the destruction of any goods refused delivery which shall not be exported by the consignee within three months from the date of notice of such refusal under such regulations as the Secretary of the Treasury may prescribe: *Provided*, That the Secretary of the Treasury may deliver to the consignee such goods pending examination and decision in the matter on execution of a penal bond for the amount of the full invoice value of such goods, together with the duty thereon, and on refusal to return such goods for any cause to the custody of the Secretary of the Treasury, when demanded, for the purpose of excluding them from the country, or for any other purpose, said consignee shall forfeit the full amount of the bond: *And provided further*, That all charges for storage, cartage, and labor on goods which are refused admission or delivery shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against any future importation made by such owner or consignee. [34 Stat. L. 772.]

Term "Territory" to include insular possessions; word "person" construed; liability of corporations, etc., for acts, omissions, etc., of agents, etc.

SEC. 12. That the term "Territory" as used in this Act shall include the insular possessions of the United States. The word "person" as used in this Act shall be construed to import both the plural and the singular, as the case demands, and shall include corporations, companies, societies and associations. When construing and enforcing the provisions of this Act, the act, omission, or failure of any officer, agent, or other person acting for or employed by any corporation, company, society, or association, within the scope of his employment or office, shall in every case be also deemed to be the act, omission, or failure of such corporation, company, society, or association as well as that of the person. [34 Stat. L. 772.]

SEC. 13. That this Act shall be in force and effect from and after the first day of January, nineteen hundred and seven. [34 Stat. L. 772.]

Oath of special examiners of drugs, etc.

SEC. 2611. Special examiners of drugs, medicines, chemicals, and so forth, shall, before entering upon their duties, take and subscribe an oath faithfully and diligently to perform such duties, and to use their best endeavors to prevent and detect frauds upon the revenue of the United States; which oath shall be administered by the collector of the port or district where the examiner making it is employed. [R. S.]

SEC. 2612. The Secretary of the Treasury shall give to the collectors of districts for which an examiner of drugs, medicines, and chemicals is not provided by law, such instructions as he may deem necessary to prevent the importation of adulterated and spurious drugs and medicines. [R. S.]

Instructions to collectors of certain districts to prevent importation of adulterated drugs, etc.

SEC. 2933. All drugs, medicines, medicinal preparations, including medicinal essential oils and chemical preparations, used wholly or in part as medicine, imported from abroad, shall, before passing the custom-house, be examined and appraised, as well in reference to their quality, purity, and fitness for medical purposes, as to their value and identity specified in the invoice. [R. S.]

Imported drugs, etc., to be examined and appraised as to quality, etc.

SEC. 2934. All medicinal preparations, whether chemical or otherwise, usually imported with the name of the manufacturer, shall have the true name of the manufacturer and the place where they are prepared, permanently and legibly affixed to each parcel by stamp, label, or otherwise; and all medicinal preparations imported without such names so affixed shall be adjudged to be forfeited. [R. S.]

Name of manufacturer and place prepared to be affixed to parcels of medicines for importation.

SEC. 2935. If, on examination, any drugs, medicines, medicinal preparations, whether chemical or otherwise, including medicinal essential oils, are found, in the opinion of the examiner, to be so far adulterated, or in any manner deteriorated, as to render them inferior in strength and purity to the standard established by the United States, Edinburgh, London, French, and German pharmacopœias and dispensatories, and thereby improper, unsafe, or dangerous to be used for medicinal purposes, a return to that effect shall be made upon the invoice, and the articles so noted shall not pass the custom-house, unless, on a re-examination of a strictly analytical character, called for by the owner or consignee, the return of the examiner shall be found erroneous, and it is declared as the result of such analysis, that the articles may properly, safely, and without danger, be used for medicinal purposes. [R. S.]

Drugs, etc., found adulterated or deteriorated, etc., upon examination, not to be admitted.

SEC. 2936. The owner or consignee shall at all times, when dissatisfied with the examiner's return, have the privilege of calling, at his own expense, for a re-examination; and the collector, upon receiving a deposit of such sum as he may deem sufficient to defray such expense, shall procure some competent analytical chemist possessing the confidence of the medical profession, as well as of the colleges of medicine and pharmacy, if any such

Appeal of consignee from examination.

institutions exist in the State in which the collection-trick is situated, [to make] a careful analysis of the articles included in the return, and a report upon the same under oath. In case this report, which shall be filed, shall declare the return of the examiner to be erroneous and the articles to be of the requisite strength and purity according to the standards referred to in the next preceding section, the entire invoice shall be passed with reservation, on payment of the customary duties. [R.]

Disposition
of rejected
articles.

SEC. 2937. If the examiner's return, however, shall be sustained by the analysis and report, the articles shall remain in charge of the collector, and the owner or consignee, on payment of the charges of storage and other expenses necessarily incurred by the United States, on giving a bond with sureties satisfactory to the collector, to land the articles out of the limits of the United States shall have the privilege of re-exporting them at any time within the period of six months after the report of analysis; but if the articles shall not be sent out of the United States within the time specified, the collector at the expiration of that time, shall cause the same to be destroyed, and hold the owner or consignee responsible to the United States for the payment of all charges, in the same manner as if the articles had been re-exported. [R. S.]

From the agricultural appropriation act of March 4, 1907, ch. 290
Stat. L. 1256.]

General and
contingent ex-
penses.

LABORATORY, DEPARTMENT OF AGRICULTURE: General expenses, Bureau of Chemistry: Chemical apparatus, chemicals, laboratory fixtures and supplies, repairs, engine and apparatus, gas and electric current, purchase of all necessary office fixtures, supplies, and necessary expenses in conducting investigations in this Bureau including actual and necessary traveling and other expenses, telegraph and telephone services, for express, freight charges, labor and expert work in such investigations, in the city of Washington and elsewhere, and collating, digesting, reporting, and illustrating the results of such experiments; [34 Stat. L. 1271.]

Chemical in-
vestigations in
collaboration
with other
bureaus, etc.,
of Department,
and with other
Departments.

to continue the collaboration with other bureaus and divisions of the Department desiring chemical investigations and to collaborate with other departments of the Government whose heads request the Secretary of Agriculture for such assistance, and for other miscellaneous work; for the employment of additional assistants, chemists, when necessary, and for the rent of buildings occupied by the Bureau of Chemistry; [34 Stat. L. 1271.]

Similar provisions are contained in preceding appropriation acts for several years. See 33 Stat. L. 874; 33 Stat. L. 32 Stat. L. 1157; 32 Stat. L. 296; 31 Stat. L. 930.

to investigate the composition, adulteration, and false labeling, or false branding of foods, drugs, beverages, condiments, and ingredients of such articles, when deemed by the Secretary of Agriculture advisable, [34 Stat. L. 1271.] Investigation of composition, adulteration, and false branding of foods, drugs, etc.

Similar provisions occur in the previous appropriation acts for several years. See 34 Stat. L. 686; 33 Stat. L. 874; 33 Stat. L. 287; 32 Stat. L. 1157; 32 Stat. L. 296; 31 Stat. L. 930; 31 Stat. L. 196; 30 Stat. L. 951; 30 Stat. L. 334; 30 Stat. L. 5; 29 Stat. L. 102.

and also the effect of cold storage upon the healthfulness of foods [34 Stat. L. 1271.] Investigation of effect of cold storage on foods.

These words appear also in the two preceding appropriation acts. See 34 Stat. L. 686; 33 Stat. L. 874.

to enable the Secretary of Agriculture to investigate the character of food preservatives, coloring matters, and other substances added to foods, to determine their relation to digestion and to health, and to establish the principles which should guide their use, [34 Stat. L. 1271.] Investigation of food preservatives, coloring matters, etc.

Similar provisions appear in previous appropriation acts. See 34 Stat. L. 685; 33 Stat. L. 874; 33 Stat. L. 287; 32 Stat. L. 1158; 32 Stat. L. 296; 31 Stat. L. 930; 31 Stat. L. 196.

and to publish the results of such investigations when thought advisable: *Provided*, That before any adverse publication is made, notice shall be given to the owner or manufacturer of the articles in question, who shall have the right to be heard and to introduce testimony before the Secretary of Agriculture, or his representative, either in person or by agent, concerning the suitability of such articles for food, or as to false labeling or branding; [34 Stat. L. 1271.] Publication of results of investigations; notice to, and hearing of, owner or manufacturer before adverse publication.

This is a repetition of a provision in the appropriation act of 1906. See 34 Stat. L. 686.

to enable the Secretary of Agriculture to investigate the character of the chemical and physical tests which are applied to American food products in foreign countries, and to inspect before shipment, when desired by the shippers or owners of these food products, American food products intended for countries where chemical and physical tests are required before said food products are allowed to be sold in the countries mentioned, and for all necessary expenses connected with such inspection and studies of methods of analysis in foreign countries. [34 Stat. L. 1272.] Investigation of tests applied to American food products in foreign countries; inspection of such products before shipment.

Provisions identically the same are contained in the appropriation acts of several years previous. See 34 Stat. L. 686; 33 Stat. L. 874; 33 Stat. L. 287; 32 Stat. L. 1158; 32 Stat. L. 296; 31 Stat. L. 930; 31 Stat. L. 196.

To investigate, in collaboration with the Bureau of Animal Industry, the chemistry of dairy products and of adulterants used therein, and of the adulterated products; to determine the composition of process, renovated, or adulterated and other treated butters, and other Investigation in collaboration with Bureau of Animal Industry of dairy products and their adulterants.

chemical studies relating to dairy products, and to make all analyses of samples required for the execution of the law regulating the manufacture of process, renovated, or adulterated butters. [34 Stat. L. 1272.]

Study, in collaboration with Weather Bureau, Bureau of Plant Industry, and agricultural experiment stations, influence of environment on wheat and other cereals and on sugar and starch-producing plants.

To study, in collaboration with the Weather Bureau, the Bureau of Plant Industry, and agricultural experiment stations, the influence of environment upon the chemical composition of wheat and other cereals, with especial reference to the variation in the content of gluten, and the suitability of barley for brewing and other purposes. To investigate the chemical composition of sugar and starch-producing plants in the United States and its possessions, and, in collaboration with the Weather Bureau, the Bureau of Plant Industry, and agricultural experiment stations, to study the effects of environment upon the chemical composition of sugar and starch-producing plants. [34 Stat. L. 1272.]

Similar provisions appear in the appropriation acts of preceding years. See 34 Stat. L. 686; 33 Stat. L. 874; 33 Stat. L. 287; 32 Stat. L. 1158; 32 Stat. L. 297.

To prevent manufacture, sale, or transportation of adulterated, misbranded, etc., foods, drugs, liquors, etc.

For all expenses necessary to carry into effect the provisions of the Act of Congress of June thirtieth, nineteen hundred and six, entitled "An Act for preventing the manufacture, sale, or transportation of adulterated, or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors, and for other purposes," including rent and the employment of labor in the city of Washington and elsewhere; employing such assistants, clerks, and other persons as the Secretary of Agriculture may consider necessary for the purposes named; [34 Stat. L. 1272.]

Leaves of absence of employees of Bureau of Chemistry outside of Washington.

and the employees of the Bureau of Chemistry outside the city of Washington may, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leaves of absence not to exceed fifteen days in any one year, which leave may, in exceptional and meritorious cases where such an employee is ill, be extended, in the discretion of the Secretary of Agriculture, not to exceed fifteen days additional in any one year, * * * [34 Stat. L. 1272.]

The same provision is contained in the appropriation act of 1906. See 34 Stat. L. 687.

Report to Congress of compensation and expenses paid to State officials, etc.

Provided, That any sum used for compensation of or payment of expenses to any officer or other person employed by any State, county, or municipal government, shall be reported to Congress in detail, on the first Monday of March, nineteen hundred and eight. [34 Stat. L. 1272.]

BUREAU OF SOILS.

From the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256.

SOIL INVESTIGATIONS: General expenses. Bureau of Soils: Investigation of the relation of soils to climate and organic life; for the investigation of the texture and composition of soils in the field and laboratory; for the investigation of the cause and prevention of the rise of alkali in the soils of the irrigated districts; the investigation of the relation of soils to drainage and seepage waters; for investigations of soils and for indicating upon maps or plats, by coloring or otherwise, the results of such investigations; to map the tobacco soils of the United States; to investigate the soils and conditions of tobacco growth in Cuba, Sumatra, and other tobacco-competing countries; to investigate, in cooperation with the Bureau of Plant Industry, the methods of curing, with particular reference to fermentation; to investigate, with the view of improving, the conditions relating to the supply and sale of domestic tobacco to any foreign country or countries where the business of buying and selling tobacco is conducted by the government; the location of the stations; rent of buildings not to exceed four thousand dollars per annum, in the District of Columbia, for office and laboratory purposes; the employment of local and special agents, clerks, assistants, and other labor required in conducting experiments in the city of Washington and elsewhere, and in collating, digesting, reporting, and illustrating the results of such experiments; the preparation and printing of reports, drawings, and illustrations; for materials, tools, instruments, apparatus, gas, and electric current, furniture, and supplies; for telegraph and telephone service, and for traveling expenses, freight and express charges, and other necessary expenses, * * * [34 Stat. L. 1273.]

General and contingent expenses, Bureau of Soils.

Joint Resolution Amending public resolution numbered eight, Fifty-sixth Congress, second session, approved February twenty-third, nineteen hundred and one, "providing for the printing annually of the report on field operations of the Division of Soils, Department of Agriculture."

[Resolution of March 14, 1904, No. 9.]

That public resolution numbered eight, Fifty-sixth Congress, second session, approved February twenty-third, nineteen hundred and one, be amended by striking out all after the resolving clause and inserting in lieu thereof the following:

Report on field operations of the Bureau of Soils; additional copies ordered printed.

That there shall be printed ten thousand five hundred copies of the report on field operations of the Division of Soils, Department of Agriculture, of which one thousand five hundred copies shall be for the use of the Senate, three thousand copies for the use of the House of Representatives, and six thousand copies for the use of the Department of Agriculture: *Provided*, That in addition to the number of copies above provided for there shall

be printed, as soon as the manuscript can be prepared, with the necessary maps and illustrations to accompany it, a report on each area surveyed, in the form of advance sheets, bound in paper covers, of which five hundred copies shall be for the use of each Senator from the State, two thousand copies for the use of each Representative for the Congressional district or districts in which the survey is made, and one thousand copies for the use of the Department of Agriculture. [33 Stat. L. 583.]

For the resolution as it originally read, see 31 Stat. L. 1462.

BUREAU OF ENTOMOLOGY.

From the sundry civil appropriation act of June 16, 1880, ch. 235, 21 Stat. L. 259.

Entomological work transferred to the Department of Agriculture.

For the completion of the work of the United States Entomological Commission under the Department of the Interior in the special investigation of the Rocky Mountain locust or grasshopper and the cottonworm * * * *Provided*, That after the close of the next fiscal year all work of the character herein provided for shall be exclusively under the control of the Agricultural Department, and all operations under the Interior Department shall be fully and finally closed before the thirtieth day of June, eighteen hundred and eighty-one. [21 Stat. L. 276.]

An Act To prohibit importation or interstate transportation of insect pests, and the use of the United States mails for that purpose.

[Act of March 3, 1905, ch. 1501, 33 Stat. L. 1269.]

Interstate transportation, or importation, of insect pests, except for scientific purposes, prohibited.

That no railroad, steamboat, express, stage, or other transportation company shall knowingly transport from one State or Territory into any other State or Territory, or from the District of Columbia into a State or Territory, or from a State or Territory into the District of Columbia, or from a foreign country into the United States, the gypsy moth, brown-tail moth, leopard moth, plum curculio, hop plant-louse, boll weevil, or any of them in a live state, or other insect in a live state which is notoriously injurious to cultivated crops, including vegetables, field crops, bush fruits, orchard trees, forest trees, or shade trees; or the eggs, pupæ, or larvæ of any insect injurious as aforesaid, except when shipped for scientific purposes under the regulations hereinafter provided for; nor shall any person remove from one State or Territory into another State or Territory, or from a foreign country into the United States, or from a State or Territory into the District of Columbia, or from the District of Columbia into any State or Territory, except for scientific purposes under the regulations hereinafter provided for, the gypsy moth, brown-tail moth, leopard moth, plum curculio, hop plant-louse, boll weevil, or any of them in a live state, or other insect in a live state which is notoriously injurious to cultivated crops, including

vegetables, field crops, bush fruits, orchard trees, forest trees, or shade trees; or the eggs, pupæ, or larvæ of any insect injurious as aforesaid. [33 Stat. L. 1269.]

SEC. 2. That any letter, parcel, box, or other package containing the gypsy moth, brown-tail moth, leopard moth, plum curculio, hop plant-louse, boll weevil, or any of them in a live state, or other insect in a live state which is notoriously injurious to cultivated crops, including vegetables, field crops, bush fruits, orchard trees, forest trees, or shade trees, or any letter, parcel, box, or package which contains the eggs, pupæ, or larvæ of any insect injurious as aforesaid, whether sealed as first-class matter or not, is hereby declared to be nonmailable matter, except when mailed for scientific purposes under the regulations hereinafter provided for, and shall not be conveyed in the mails, nor delivered from any post-office, nor by any letter carrier, except when mailed for scientific purposes under the regulations hereinafter provided for; and any person who shall knowingly deposit, or cause to be deposited, for mailing or delivery, anything declared by this section to be nonmailable matter, or cause the same to be taken from the mails for the purpose of retaining, circulating, or disposing of, or of aiding in the retention, circulation, or disposition of the same shall, for each and every offense, be fined, upon conviction thereof, not more than five thousand dollars or imprisoned at hard labor not more than five years, or both, at the discretion of the court: *Provided*, That nothing in this Act shall authorize any person to open any letter or sealed matter of the first-class not addressed to himself. [33 Stat. L. 1270.]

Letters, parcels, etc., containing insect pests, nonmailable, except for scientific purposes; violations punishable.

SEC. 3. That it shall be the duty of the Secretary of Agriculture, and he is hereby authorized and directed to prepare and promulgate rules and regulations under which the insects covered by sections one and two of this Act may be mailed, shipped, transported, delivered, and removed, for scientific purposes, from one State or Territory into another State or Territory, or from the District of Columbia into a State or Territory, or from a State or Territory into the District of Columbia, and any insects covered by sections one and two of this Act may be so mailed, shipped, transported, delivered, and removed, for scientific purposes, under the rules and regulations of the Secretary of Agriculture: *Provided*, That the rules and regulations of the Secretary of Agriculture, in so far as they affect the method of mailing insects, shall be approved by the Postmaster-General, and nothing in this Act shall be construed to prevent any State from making and enforcing laws in furtherance of the purposes of this Act, prohibiting or regulating the admission into that State of insects from a foreign country. [33 Stat. L. 1270.]

Regulations for mailing, shipping, transporting, etc., insect pests for scientific purposes.

Violations of
sec. 1 of act
punishable.

SEC. 4. That any person, company, or corporation who shall knowingly violate the provisions of section one of this Act shall, for each offense, be fined, upon conviction thereof, not more than five thousand dollars or imprisoned at hard labor not more than five years, or both, at the discretion of the court. [33 Stat. L. 1270.]

From the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256.

General and
contingent ex-
penses, Bureau
of Entomology.

ENTOMOLOGICAL INVESTIGATIONS: General expenses, Bureau of Entomology: Promotion of economic entomology; investigating the history and habits of insects injurious and beneficial to agriculture, horticulture, and arboriculture; ascertaining the best means of destroying those found to be injurious, including an investigation into the ravages of insects affecting field crops; investigations of the insects affecting small fruit, shade trees, and truck crops, forests and forest products and stored products; investigation of insects in relation to diseases of men and domestic animals, and as animal parasites; miscellaneous insect investigations, including tobacco worms, tobacco insects in the dark tobacco district of Kentucky and Tennessee, the introduction of beneficial insects, quarantine work, and the study of fungous and other diseases of insects; for the expenses of insect laboratory, collections, and experimental garden; investigations in apiculture and in silk culture; investigations of insecticides and insecticide machinery; purchase of chemicals, insecticide apparatus, and other materials, supplies, and instruments required in conducting such experiments and investigations; for the employment of local and special agents, clerks, assistants, and other labor required in conducting experiments in the city of Washington and elsewhere, and in collating, digesting, reporting, and illustrating the results of such experiments; freight and express charges and necessary traveling expenses; rent of buildings; for office fixtures and supplies, telegraph and telephone services; gas and electric current; preparing, illustrating, and publishing the results of the work of the Bureau, * * * of which sum * * * , or so much thereof as may be necessary, may be used to enable the Secretary of Agriculture to continue the experiments looking to the eradication of the pest known as the "white fly." [34 Stat. L. 1273.]

Investigations of the
Mexican cotton
boll weevil.

COTTON BOLL WEEVIL INVESTIGATIONS: * * * FOR THE BUREAU OF ENTOMOLOGY: To enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the Mexican cotton boll weevil in the Southern States by further studies of the habits and damage of the pest, the collection of data regarding its status, the study of parasites and diseases, the testing of remedies suggested, and the completion of experiments

now under way, * * * or so much thereof as may be necessary. [34 Stat. L. 1280.]

PREVENTION OF SPREAD OF MOTHS: To enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the gypsy and brown tail moths, * * * or so much thereof as may be necessary, is hereby appropriated and made immediately available. And the Secretary of Agriculture is hereby authorized to expend said appropriation by establishing a quarantine against such further spread in such manner as he shall deem best, in cooperation with the authorities of the different States concerned and with the State experiment stations. [34 Stat. L. 1280.]

Prevention of the spread of the gypsy and brown-tail moths.

BUREAU OF BIOLOGICAL SURVEY.

From the tariff act of July 24, 1897, ch. 11, 30 Stat. L. 151.

SEC. 2. That on and after the passage of this Act, unless otherwise specially provided for in this Act, the following articles when imported shall be exempt from duty: [30 Stat. L. 194.]

Eggs of game birds, etc., excluded from importation.

* * * * *

549. Eggs of birds, fish, and insects: *Provided, however,* That this shall not be held to include the eggs of game birds or eggs of birds not used for food, the importation of which is prohibited except specimens for scientific collections, nor fish roe preserved for food purposes. [30 Stat. L. 197.]

An Act To regulate the introduction of eggs of game birds for propagation.
[Act of June 3, 1902, ch. 983, 32 Stat. L. 285.]

That from and after the passage of this Act the Secretary of Agriculture shall have the power to authorize the importation of eggs of game birds for purposes of propagation, and he shall prescribe all necessary rules and regulations governing the importation of eggs of said birds for such purposes. [32 Stat. L. 285.]

Importation of eggs of game birds for propagation permitted.

An Act To enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes.

[Act of May 25, 1900, ch. 553, 31 Stat. L. 187.]

That the duties and powers of the Department of Agriculture are hereby enlarged so as to include the preservation, distribution, introduction, and restoration of game birds and other wild birds. The Secretary of Agriculture is hereby authorized to adopt such measures as may be necessary to carry out the purposes of this Act and to purchase such game birds and other wild birds as may be required therefor, subject, however, to the laws of the various States and Territories. The object and purpose of this Act is to aid in the restoration of such birds in those parts of the United States adapted

Powers of Department of Agriculture enlarged to include preservation, etc., of game birds and other wild birds.

thereto where the same have become scarce or extinct, and also to regulate the introduction of American or foreign birds or animals in localities where they have not heretofore existed.

The Secretary of Agriculture shall from time to time collect and publish useful information as to the propagation, uses, and preservation of such birds.

And the Secretary of Agriculture shall make and publish all needful rules and regulations for carrying out the purposes of this Act, and shall expend for said purposes such sums as Congress may appropriate therefor. [31 Stat. L. 187.]

Importation without special permission of wild animals and birds, except for scientific purposes, forbidden.

SEC. 2. That it shall be unlawful for any person or persons to import into the United States any foreign wild animal or bird except under special permit from the United States Department of Agriculture: *Provided*, That nothing in this section shall restrict the importation of natural history specimens for museums or scientific collections, or the importation of certain cage birds, such as domesticated canaries, parrots, or such other species as the Secretary of Agriculture may designate.

The importation of the mongoose, the so-called "flying foxes" or fruit bats, the English sparrow, the starling, or such other birds or animals as the Secretary of Agriculture may from time to time declare injurious to the interest of agriculture or horticulture is hereby prohibited, and such species upon arrival at any of the ports of the United States shall be destroyed or returned at the expense of the owner. The Secretary of the Treasury is hereby authorized to make regulations for carrying into effect the provisions of this section. [31 Stat. L. 188.]

Interstate transportation of prohibited animals and birds, etc., forbidden.

SEC. 3. That it shall be unlawful for any person or persons to deliver to any common carrier, or for any common carrier to transport from one State or Territory to another State or Territory, or from the District of Columbia or Alaska to any State or Territory, or from any State or Territory to the District of Columbia or Alaska, any foreign animals or birds the importation of which is prohibited, or the dead bodies or parts thereof of any wild animals or birds, where such animals or birds have been killed in violation of the laws of the State, Territory, or District in which the same were killed: *Provided*, That nothing herein shall prevent the transportation of any dead birds or animals killed during the season when the same may be lawfully captured, and the export of which is not prohibited by law in the State, Territory, or District in which the same are killed. [31 Stat. L. 188.]

Marking of packages of animals, birds, etc., in interstate commerce; violation of act; penalty.

SEC. 4. That all packages containing such dead animals, birds, or parts thereof, when shipped by interstate commerce, as provided in section one of this Act, shall be plainly and clearly marked, so that the name and address of the shipper and the nature of the contents may be readily ascertained on inspection of the outside of such

packages. For each evasion or violation of this Act the shipper shall, upon conviction, pay a fine of not exceeding two hundred dollars; and the consignee knowingly receiving such articles so shipped and transported in violation of this Act shall, upon conviction, pay a fine of not exceeding two hundred dollars; and the carrier knowingly carrying or transporting the same shall, upon conviction, pay a fine of not exceeding two hundred dollars. [31 Stat. L. 188.]

SEC. 5. That all dead bodies, or parts thereof, of any foreign game animals, or game or song birds, the importation of which is prohibited, or the dead bodies, or parts thereof, of any wild game animals, or game or song birds transported into any State or Territory, or remaining therein for use, consumption, sale, or storage therein, shall upon arrival in such State or Territory be subject to the operation and effect of the laws of such State or Territory enacted in the exercise of its police powers, to the same extent and in the same manner as though such animals or birds had been produced in such State or Territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise. This Act shall not prevent the importation, transportation, or sale of birds or bird plumage manufactured from the feathers of barnyard fowl. [31 Stat. L. 188.]

Bodies of game animals, birds, etc., subject to laws of State into which transported.

An Act For the protection of game in Alaska, and for other purposes.
[Act of June 7, 1902, ch. 1037, 32 Stat. L. 327.]

That from and after the passage of this Act the wanton destruction of wild game animals or wild birds, the destruction of nests and eggs of such birds, or the killing of any wild birds other than a game bird, or wild game animal, for the purposes of shipment from Alaska is hereby prohibited. [32 Stat. L. 327.]

Killing of game animals or wild birds and destruction of such birds' nests, etc., and killing of nongame birds or game animals for shipment from Alaska, prohibited.

The term "game animals" shall include deer, moose, caribou, sheep, mountain goats, bears, sea lions, and walrus. The term "game birds" shall include waterfowl, commonly known as ducks, geese, brant, and swans; shore birds, commonly known as plover, snipe, and curlew, and the several species of grouse and ptarmigan. Nothing in this Act shall effect [affect] any law now in force in Alaska relating to the fur seal, sea otter, or any fur-bearing animal other than bears and sea lions, or prevent the killing of any game animal or bird for food or clothing by native Indians or Eskimo or by miners, explorers, or travelers on a journey when in need of food; but the game animals or birds so killed shall not be shipped or sold. [32 Stat. L. 327.]

SEC. 2. That it shall be unlawful for any person in Alaska to kill any wild game animals or wild birds except during the seasons hereinafter provided: Large brown bears, from April fifteenth to June thirtieth, both inclusive; moose, caribou, walrus, and sea lions, from September first to October thirty-first, both inclusive; deer, sheep, and mountain goats, from September first

Open seasons for certain game animals and birds; rules and regulations.

to December fifteenth, both inclusive; grouse, ptarmigan, shore birds, and waterfowl, from September first to December fifteenth, both inclusive: *Provided*, That the Secretary of Agriculture is hereby authorized whenever he shall deem it necessary for the preservation of game animals or birds to make and publish rules and regulations which shall modify the close seasons hereinbefore established, or provide different close seasons for different parts of Alaska, or place further restrictions and limitations on the killing of such animals or birds in any given locality, or to prohibit killing entirely for a period not exceeding five years in such locality. [32 Stat. L. 327.]

Killing of certain animals limited; restrictions as to hunting methods.

SEC. 3. That it shall be unlawful for any person at any time to kill any females or yearlings of moose, caribou, deer, or sheep, or for any one person to kill in any one year more than the number specified of each of the following game animals: Two moose, walrus, or sea lions; four caribou, sheep, goats, or large brown bears; eight deer; or to kill or have in possession in any one day more than ten grouse, or ptarmigan, or twenty-five shore birds or waterfowl. [32 Stat. L. 327.]

That it shall be unlawful for any person at any time to hunt with hounds, to use a shotgun larger than number ten gauge, or any gun other than that which can be fired from the shoulder, or to use steam launches or any boats other than those propelled by oars or paddles in the pursuit of game animals or birds. And the Secretary of Agriculture is authorized to make and publish such further restrictions as he may deem necessary to prevent undue destruction of wild game animals or wild birds. [32 Stat. L. 327.]

Sale of hides, skins, etc., of game animals and game birds in Alaska during close season prohibited.

SEC. 4. That it shall be unlawful for any person or persons at any time to sell or offer for sale any hides, skins, or heads of any game animals or game birds in Alaska, or to sell, or offer for sale therein, any game animals or game birds, or parts thereof, during the time when the killing of said animals or birds is prohibited: *Provided*, That it shall be lawful for dealers having in possession any game animals or game birds legally killed during the open season to dispose of the same within fifteen days after the close of said season. [32 Stat. L. 328.]

SEC. 5. That it shall be unlawful for any person, firm, or corporation or their officers or agents to deliver to any common carrier, or for the owner, agent, or master of any vessel or for any other person to receive for shipment or have in possession with intent to ship out of Alaska any hides or carcasses of caribou, deer, moose, mountain sheep, or mountain goat, or parts thereof, or any wild birds or parts thereof: *Provided*, That nothing in this Act shall be construed to prevent the collection of specimens for scientific purposes, the capture or shipment of live animals and birds for exhibition or propagation, or the export from Alaska of specimens and trophies, under

such restrictions and limitations as the Secretary of Agriculture may prescribe and publish. [32 Stat. L. 328.]

SEC. 6. That any person violating any of the provisions of this Act or any of the regulations promulgated by the Secretary of Agriculture shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit to the United States all game or birds in his possession, and all guns, traps, nets, or boats used in killing or capturing said game or birds, and shall be punished for each offense by a fine of not more than two hundred dollars or imprisonment not more than three months, or by both such fine and imprisonment, in the discretion of the court: *Provided*, That upon conviction for the second or any subsequent offense there may be imposed in addition a fine of fifty dollars for any violation of sections one and three, and a fine of one hundred dollars for a violation of section two. [32 Stat. L. 328.]

Violation of act or regulations promulgated thereunder; penalties; duties of marshals, etc.; arrests, seizures; scientific collections permitted.

It is hereby made the duty of all marshals and deputy marshals, collectors or deputy collectors of customs appointed for Alaska, and all officers of revenue cutters to assist in the enforcement of this Act. Any marshal or deputy marshal may arrest without warrant any person found violating any of the provisions of this Act or any of the regulations herein provided, and may seize any game, birds, or hides, and any traps, nets, guns, boats, or other paraphernalia used in the capture of such game or birds and found in the possession of said person, and any collector or deputy collector of customs, or any person authorized in writing by a marshal, shall have the power above provided to arrest persons found violating this Act or said regulations and seize said property without warrant, to keep and deliver the same to a marshal or a deputy marshal. It shall be the duty of the Secretary of the Treasury upon request of the Secretary of Agriculture to aid in carrying out the provisions of this Act: *Provided further*, That nothing contained in the foregoing section of this Act shall be construed or held to prohibit or limit the right of the Smithsonian Institution to collect in or ship from the District of Alaska animals or birds for the use of the Zoological Park in Washington, District of Columbia: *Provided further*, That such heads and hides as may have been taken before the passage of this Act, may be shipped out of Alaska at any time prior to the first day of July, anno Domini nineteen hundred and two. [32 Stat. L. 328.]

An Act For the protection of wild animals and birds in the Wichita Forest Reserve.

[Act of January 24, 1905, ch. 137, 33 Stat. L. 614.]

SEC. 1. That the President of the United States is hereby authorized to designate such areas in the Wichita Forest Reserve as should, in his opinion, be set aside for the protection of game animals and birds and be recognized as a breeding place therefor. [33 Stat. L. 614.]

Areas in Wichita Forest Reserve to be set aside as breeding place for game animals and birds.

Hunting, trapping, killing, or capturing game animals or birds within areas set aside, except as prescribed, unlawful; penalty.

SEC. 2. That when such areas have been designated as provided for in section one of this Act, hunting, trapping, killing, or capturing of game animals and birds upon the lands of the United States within the limits of said areas shall be unlawful, except under such regulations as may be prescribed from time to time, by the Secretary of Agriculture; and any person violating such regulations or the provisions of this Act shall be deemed guilty of a misdemeanor, and shall, upon conviction in any United States court of competent jurisdiction, be fined in a sum not exceeding one thousand dollars or be imprisoned for a period not exceeding one year, or shall suffer both fine and imprisonment, in the discretion of the court. [33 Stat. L. 614.]

Local game laws as to private, State, or Territorial lands not affected by act.

SEC. 3. That it is the purpose of this Act to protect from trespass the public lands of the United States and the game animals and birds which may be thereon, and not to interfere with the operation of the local game laws as affecting private, State or Territorial lands. [33 Stat. L. 614.]

Proclamation, June 2, 1905, 34 Stat. L. 3062.

Wichita Forest Reserve set apart as a game preserve.

WHEREAS, it is provided by the Act of Congress, approved January twenty-fourth, nineteen hundred and five, entitled, "An Act for the protection of wild animals and birds in the Wichita Forest Reserve," That the President of the United States is hereby authorized to designate such areas in the Wichita Forest Reserve as should, in his opinion, be set aside for the protection of game animals and birds and be recognized as a breeding place therefor.

* * * * *

And whereas, for the purpose of giving this Act effect, it appears desirable that the entire Wichita Forest Reserve be declared a Game Preserve;

Now, therefore, I, Theodore Roosevelt, President of the United States, by virtue of the power in me vested by the aforesaid Act of Congress, do hereby make known and proclaim that the Wichita Forest Reserve, in the Territory of Oklahoma, is designated and set aside for the protection of game animals and birds, and shall be recognized as a breeding place therefor, and that the hunting, crapping, killing or capturing of game animals and birds upon the lands of the United States within the limits of said area is unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 2nd day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth. T. ROOSEVELT [34 Stat. L. 3062.]

An Act To protect birds and their eggs in game and bird preserves.

[Act of June 28, 1906, ch. 3585, 34 Stat. L. 536.]

That it shall be unlawful for any person to hunt, trap, capture, willfully disturb, or kill any bird of any kind whatever or take the eggs of such birds on any lands of the United States which have been set apart or reserved as breeding grounds for birds by any law, proclamation, or Executive order, except under such rules and regulations as may be prescribed from time to time by the Secretary of Agriculture. [34 Stat. L. 536.]

Hunting, etc., or killing wild birds or taking their eggs on lands set apart as breeding grounds, unlawful, except as prescribed.

SEC. 2. That any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and shall, upon conviction in any United States court of competent jurisdiction, be fined in a sum not exceeding five hundred dollars or be imprisoned for a period not exceeding six months, or shall suffer both fine and imprisonment, in the discretion of the court: *Provided*, That the provisions of this Act shall not apply to the Black Hills Forest Reservation, in South Dakota. [34 Stat. L. 537.]

Penalty.

Black Hills Forest Reservation excepted.

An Act For the protection of wild animals in the Grand Canyon Forest Reserve.

[Act of June 29, 1906, ch. 3593, 34 Stat. L. 607.]

That the President of the United States is hereby authorized to designate such areas in the Grand Canyon Forest Reserve as should, in his opinion, be set aside for the protection of game animals and be recognized as a breeding place therefor. [34 Stat. L. 607.]

Areas in Grand Canyon Forest Reserve to be set aside as breeding place for game animals.

SEC. 2. That when such areas have been designated as provided in section one of this Act, hunting, trapping, killing, or capturing of game animals upon the lands of the United States within the limits of said areas shall be unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture; and any person violating such regulations or the provisions of this Act shall be deemed guilty of a misdemeanor, and shall, upon conviction in any United States court of competent jurisdiction, be fined in a sum not exceeding one thousand dollars, or by imprisonment for a period not exceeding one year, or shall suffer both fine and imprisonment, in the discretion of the court. [34 Stat. L. 607.]

Hunting, trapping, killing or capturing game animals within areas set aside, unlawful.

Penalty.

SEC. 3. That it is the purpose of this Act to protect from trespass the public lands of the United States and the game animals which may be thereon, and not to interfere with the operation of the local game laws as affecting private, State, or Territorial lands. [34 Stat. L. 607.]

Local game laws as to private, State, or Territorial lands not affected.

Executive order, March 14, 1903.

It is hereby ordered that Pelican Island in Indian River in section nine, township thirty-one south, range thirty-nine east, State of Florida, be, and it is hereby, reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds.

Pelican Island reservation for birds.

THEODORE ROOSEVELT.

Executive order, October 4, 1904.

Breton Is-
land Reserva-
tion for birds.

It is hereby ordered that Breton island, as shown by the General Land Office map of the State of Louisiana of date 1896, in Township 18 South, Range 20 East, St. Helena Meridian, when same shall be surveyed; and Old Harbor and Freemason islands, in Townships 14 and 15 South, Ranges 21 and 22 East, same Meridian, when surveyed, be, and they are hereby reserved and set apart for the use of the Department of Agriculture, as a preserve and breeding ground for native birds. This reservation to be known as "Breton Island Reservation."

THEODORE ROOSEVELT.

Executive order, March 9, 1905.

Stump Lake
Reservation for
birds.

It is hereby ordered that the following described islands in Stump Lake in Township 151 North, Range 61 West, 5th Principal Meridian, North Dakota, shown on the official plat approved February 13, 1905, on file in the General Land Office, be, and they are hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds, viz:

Two islands in section 10, one shown as lot 3 of the section, containing 12 acres, and one shown as lot 4 of the section, containing 7.64 acres; one island in section 11, shown as lot 4 of the section, containing 2.22 acres; also one island in section 15, shown as lot 2 of the section, containing 5.53 acres, total area 27.39 acres. This reservation to be known as the Stump Lake Reservation.

THEODORE ROOSEVELT.

Executive order, October 10, 1905.

Passage Key
Reservation for
birds.

It is hereby ordered that Passage Key, an island near the mouth of Tampa Bay, Florida, as shown on the General Land Office map of the State of Florida of date 1893, and situated in section 6, township 34 south, range 16 east, as the same appears upon the official plat of survey of said township approved March 17, 1877, be, and it is hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. This reservation to be known as the Passage Key Reservation.

THEODORE ROOSEVELT.

Executive order, October 10, 1905.

Siskiwit Is-
lands Reserva-
tion for birds.

It is hereby ordered that the unsurveyed islands of the Siskiwit or Menagerie group of islands, lying near the mouth of Siskiwit bay, on the south side of Isle Royal in Lake Superior, Michigan, as shown by the General Land Office map of the State of Michigan of date 1904, and situated in sections 23, 24, 25, 26, 27, 33, 34 and 35, township 64 north, range 36 west, as the same appear in part upon the official plat of survey of said township, approved June 4, 1847, be and they are hereby

reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. This reservation to be known as the Siski-wit Islands Reservation.

THEODORE ROOSEVELT.

Executive order, October 10, 1905.

It is hereby ordered that the unsurveyed islands of the Huron islands group, lying near the south shore of Lake Superior, as shown by the General Land Office map of the State of Michigan of date 1904, and situated in Sections 26, 27, 34 and 35, township 53 north, range 29 west, as the same appear in part upon the official plat of survey of said township approved June 4, 1847, be, and they are hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. This reservation to be known as the Huron Islands Reservation.

Huron Islands Reservation for birds.

THEODORE ROOSEVELT.

Executive order, February 10, 1906.

It is hereby ordered that Indian Key, an island in Tampa bay, Florida, containing ninety acres, and located in sections 10 and 15, township 32 south, range 16 east, as the same appears upon the official plat of survey of said township on file in the General Land Office, be, and it is hereby reserved and set apart for the use of the Department of Agriculture, as a preserve and breeding ground for native birds. This reservation to be known as Indian Key Reservation.

Indian Key Reservation for birds.

THEODORE ROOSEVELT.

Executive order, August 8, 1907.

It is hereby ordered that all small islets, commonly called mud lumps, in or near the mouths of the Mississippi River, Louisiana, located within the area segregated and shown upon the diagram hereto attached and made a part of this order, are hereby reserved and set aside for the use of the Department of Agriculture, as a preserve and breeding ground for native birds. This reservation to be known as Tern Islands Reservation.

Tern Islands Reservation for birds.

THEODORE ROOSEVELT.

Executive order, August 17, 1907.

It is hereby ordered that the Executive Order of July 9, 1855, creating the Light House Reservation which embraces a small group of unsurveyed islets located in the Gulf of Mexico about three and one-half miles south of Marsh Island, Louisiana, and approximately in latitude 29° 26' north, longitude 91° 51' west from Greenwich, as appears upon United States Coast Survey Chart No.

Shell Keys Reservation for birds.

200, be, and the same is hereby vacated and set aside: and it is also ordered that these islets, located within the area segregated and shown upon the diagram hereto attached and made a part of this Order, be, and they are hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding ground for native birds. This reservation to be known as Shell Keys Reservation.

THEODORE ROOSEVELT.

Executive order, October 14, 1907.

Three Arch
Rocks Reserva-
tion for birds
and animals.

It is hereby ordered that the group of small unsurveyed islands known as the "Three Arch Rocks," located in the Pacific Ocean from one-half mile to one mile off the coast of Oregon, approximately in latitude $45^{\circ} 28''$ north, longitude 124° west from Greenwich, as shown upon the United States Coast Survey Chart No. 6100, and located within the area segregated by a broken line and shown upon the diagram hereto attached and made a part of this order, is hereby reserved and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds and animals. This reservation to be known as Three Arch Rocks Reservation.

THEODORE ROOSEVELT.

Executive order, October 23, 1907.

Copalis Rock
Reservation for
birds and ani-
mals.

It is hereby ordered that all small, unsurveyed islands lying off the coast of the State of Washington in the Pacific Ocean, between latitudes $47^{\circ} 8'$ North, and $47^{\circ} 29'$ North, among which are those named and commonly known as Arch Island, Sea Lion Rock, Willoughby Rock, Split Rocks, Sonora Reef, Greenville Arch and Copalis Rock, as the same are shown upon coast survey chart No. 6400, or upon the General Land Office map of the State of Washington, dated 1887, and located within the area segregated by a broken line and shown upon the diagram hereto attached and made a part of this order, are hereby reserved and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds and animals. This reservation to be known as Copalis Rock Reservation.

THEODORE ROOSEVELT.

Executive order, October 23, 1907.

Flattery
Rocks Reserva-
tion for birds
and animals.

It is hereby ordered that all small, unsurveyed and unreserved islands lying off the coast of the State of Washington in the Pacific Ocean, between latitudes $48^{\circ} 02'$ North and $48^{\circ} 23'$ North, among which are those named and commonly known as Spike Rock, Father and Son, Bodiel-teh Islets, Flattery Rocks, Ozette Island and White Rock, as the same are shown upon the coast survey

chart No. 6400, or upon the General Land Office map of the State of Washington, dated 1887, and located within the area segregated by a broken line and shown upon the diagram hereto attached and made a part of this order, are hereby reserved and set aside for the use of the Department of Agriculture, as a preserve and breeding ground for native birds and animals. This reservation to be known as Flattery Rocks Reservation.

THEODORE ROOSEVELT.

Executive order, October 23, 1907.

It is hereby ordered that all small, unsurveyed and unreserved islands lying off the coast of the State of Washington in the Pacific Ocean, between latitudes 47° 38' North, and 48° 02' North, among which are those named and commonly known as Hand Rock, Carroll Islets, Bald Island, Jagged Islet, Cake Rock, James Island, Huntington Rock, Quillayute Needles, Rounded Islet, Alexander Island, Perkins Reef, North Rock, Middle Rock, Abbey Island and South Rock, as the same are shown upon coast survey chart No. 6400, or upon the General Land Office map of the State of Washington, dated 1887, and located within the area segregated by a broken line and shown upon the diagram hereto attached and made a part of this order are hereby reserved and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds and animals. This reservation to be known as Quillayute Needles Reservation.

Quillayute
Needles Reser-
vation for birds
and animals.

THEODORE ROOSEVELT.

Executive order, February 24, 1908.

It is hereby ordered that all small mangrove and salt grass islets, shoals, sand bars and sand spits, situated in Mosquito Inlet, and in and near the mouths of the Halifax and Hillsboro Rivers, in townships sixteen and seventeen south, range thirty-four east of the Tallahassee Meridian, Florida, and located within the area segregated by a broken line, and shown upon the diagram hereto attached and made a part of this order, are hereby reserved and set aside for the use of the Department of Agriculture as a preserve and breeding ground for native birds. This reservation to be known as the Mosquito Inlet Reservation.

Mosquito In-
let Reservation
for birds.

THEODORE ROOSEVELT.

From the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256.

BIOLOGICAL INVESTIGATIONS: General expenses, biological investigations: For biological investigations, including the geographic distribution and migrations of animals, birds, and plants, and for the promotion of economic ornithology and mammalogy; for an investigation of the food habits of North American birds and mammals in

General and
incidental ex-
penses, Bureau
of Biological
Survey.

relation to agriculture, horticulture, and forestry; for the employment of local and special agents, clerks, assistants, and other labor required in conducting experiments in the city of Washington and elsewhere, and in collating, digesting, reporting, and illustrating the results of such experiments; for freight and express charges; for office fixtures and supplies, gas and electric current, telegraph and telephone service; for preparation and publication of reports, and for illustrations, field work, and traveling and other expenses in the practical work of the Bureau, and to enable the Secretary of Agriculture to carry into effect the provisions of an Act approved May twenty-fifth, nineteen hundred, entitled "An Act to enlarge the powers of the Department of Agriculture, prohibiting the transportation by interstate commerce of game killed in violation of local laws, and for other purposes." * * * [34 Stat. L. 1274.]

Report as to
duplication and
value of work
of the Bureau.

And the Secretary of Agriculture is hereby directed to investigate and report to the next session of Congress to what extent, if any, the work now being done by the Bureau of Biological Survey is duplicated by any other Department of the Government, and to what extent the work of this Bureau is of practical value to the agricultural interests of the country. [34 Stat. L. 1274.]

DIVISION OF PUBLICATIONS.

From the sundry civil appropriation act of March 4, 1907, ch. 2918, 34 Stat. L. 1295.

Appropriation for Department publications.

For the public printing, for the public binding, and for paper for the public printing, * * * and for lithographing, mapping, and engraving for * * * the Departments; * * * dollars; and from the said sum hereby appropriated printing and binding shall be done by the Public Printer to the amounts following, respectively, namely: * * *

Farmers' bulletins; Congressional appropriation and distribution.

For the Department of Agriculture, including * * * dollars for the Weather Bureau, and including the Annual Report of the Secretary of Agriculture, as required by the Act approved January twelfth, eighteen hundred and ninety-five, and in pursuance of the provisions of public resolution Numbered Thirteen of the first session of the Fifty-ninth Congress and also including * * * dollars for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by Senators, Representatives, and Delegates in Congress, as they shall direct, * * * [34 Stat. L. 1366.]

Provisions relating to farmers' bulletins, similar to the above, have been enacted in the previous agricultural appropriation acts indicated under the provision next following.

From the agricultural appropriation act of June 30, 1906, ch. 3913, 34 Stat. L. 669.

For the preparation, printing, * * * and distribution of farmers' bulletins, * * * *Provided*, That the Secretary of Agriculture shall notify Senators, Representatives, and Delegates in Congress of the title and character of each such bulletin, with the total number to which each Senator, Representative, and Delegate may be entitled for such distribution; and on the face of the envelope inclosing said bulletins shall be printed the title of each bulletin contained therein: [34 Stat. L. 690.]

Farmers' bulletins; notification as to title and character to Members of Congress.

Similar provisions appear in the appropriation acts of previous years successively. See the acts of March 3, 1905, ch. 1405, 33 Stat. L. 878; April 23, 1904, ch. 1486, 33 Stat. L. 291; March 3, 1903, ch. 1008, 32 Stat. L. 1161; June 3, 1902, ch. 985, 32 Stat. L. 299; March 2, 1901, ch. 805, 31 Stat. L. 933; May 25, 1900, ch. 555, 31 Stat. L. 200; March 1, 1899, ch. 325, 30 Stat. L. 954; March 22, 1898, ch. 85, 30 Stat. L. 336; April 23, 1897, ch. 1, 30 Stat. L. 7; April 25, 1896, ch. 140, 29 Stat. L. 104; March 2, 1895, ch. 169, 28 Stat. L. 734; August 8, 1894, ch. 238, 28 Stat. L. 270.

Provided further, That all such bulletins included in the quotas of Senators, Representatives, or Delegates not called for on or before the thirty-first day of May in each fiscal year shall revert to the Secretary of Agriculture, and be available to him, either for miscellaneous distribution or in making up Congressional quotas for the next fiscal year; * * * [34 Stat. L. 690.]

Farmers' bulletins; disposal of uncalled for Congressional quotas.

Substantially similar provisions were enacted in the previous appropriation acts indicated under the preceding proviso, beginning with the act of March 1, 1890.

From the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256.

PUBLICATIONS, DEPARTMENT OF AGRICULTURE: General expenses, Division of Publications: For the preparation, illustration, publication, indexing, and distribution of documents, bulletins, and reports; for additional assistants, editorial, proof reading, indexing, and other necessary help in the city of Washington and elsewhere: for the pay of artists, draftsmen, and engravers; the purchase of manuscript for publication; for tools, instruments, and artists' materials; for drawings, engravings, photographs, paintings, lithographs, and other illustration work; for electrotypes, and for traveling expenses when necessary; for labor and material required in the distribution of documents, including wagons, harness, and horses, and maintenance of same, and for repairs; for rent of buildings for the storage and distribution of publications; for the pay of watchmen and charwomen; for all necessary office fixtures and supplies; for gas and electric current, telegraph and telephone services, and for such other expenses as may be necessary. * * *. [34 Stat. L. 1275.]

General and contingent expenses, Division of Publications.

BUREAU OF STATISTICS.

From the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256.

General and
contingent
expenses, Bu-
reau of Statis-
tics.

COLLECTING AGRICULTURAL STATISTICS: General expenses, Bureau of Statistics: Collecting domestic and foreign agricultural statistics, compiling, writing, and illustrating statistical matter for monthly, annual, and special reports; special investigations and compilations; purchase of maps and charts, stationery, office supplies, blanks, blank books, circulars, paper, envelopes, postal cards, postage stamps, office fixtures, telegraph and telephone services, freight and express charges, including employment of labor in the city of Washington and elsewhere, actual and necessary traveling expenses: [34 Stat. L. 1276.]

Monthly
crop reports;
time of issue;
contents; ap-
proval of Sec-
retary of Agri-
culture.

Provided. That the monthly crop reports, which shall be issued on or before the tenth of each month, shall embrace statements of the conditions of the crops by States, in the United States, with such explanations, comparisons, and information as may be useful for illustrating the above matter, and that it shall be submitted to and officially approved by the Secretary of Agriculture before being issued or published: [34 Stat. L. 1276.]

This provision has been enacted, with slight variations, in the appropriation acts for a number of years. See 34 Stat. L. 691; 33 Stat. L. 879; 33 Stat. L. 292; 32 Stat. L. 1162; 32 Stat. L. 300; 31 Stat. L. 934; 31 Stat. L. 194; 30 Stat. L. 950; 30 Stat. L. 333; 30 Stat. L. 4; 29 Stat. L. 101; 28 Stat. L. 729; 28 Stat. L. 266; 27 Stat. L. 737; 27 Stat. L. 76.

"It may be questionable whether it is to be considered permanent, or limited in application to the appropriation for the particular year." (Compiler's note, U. S. Comp. Stat. p. 294.)

"It has not been authoritatively determined whether this is a permanent provision of law or applicable only to the year for which the appropriation is made." (Compiler's note, 2 Supp. R. S. 231.)

[A proviso excepting the monthly crop report from certain limitations imposed upon the printing of other Government publications may be found on p. 89, *ante*.]

Condition re-
ports of cotton
crop; time of
issue.

Provided further, That the condition reports of the cotton crop shall be issued on the same day as the first ginners' report of actual cotton ginned in each month, respectively, during the months in which both condition reports and ginners' reports are issued, * * * dollars, of which not more than * * * dollars, shall be expended for salaries in the city of Washington, District of Columbia. [34 Stat. L. 1276.]

The same provision was enacted in the appropriation act of June 30, 1906, ch. 3913, 34 Stat. L. 691.

Extension of
foreign mar-
kets.

Investigations concerning the feasibility of extending the demands of foreign markets for the agricultural products of the United States, and to secure, as far as

may be, a change in the methods of supplying farm products to foreign countries; * * * [34 Stat. L. 1276.]

Similar provisions are contained in the appropriation acts for previous years. See 34 Stat. L. 691; 33 Stat. L. 879; 33 Stat. L. 292; 32 Stat. L. 1162; 32 Stat. L. 300; 31 Stat. L. 934; 31 Stat. L. 194; 30 Stat. L. 950; 30 Stat. L. 333; 30 Stat. L. 4; 29 Stat. L. 101; 28 Stat. L. 729; 28 Stat. L. 266.

employment of local and special agents, clerks, assistants, and other labor required in making investigations in the city of Washington and elsewhere, and in collating, digesting, reporting, and illustrating the results of such investigations; traveling expenses, and freight and express charges; telephone and telegraph services; and all necessary office fixtures and supplies, * * * [34 Stat. L. 1277.]

Contingent expenses.

LIBRARY.

Resolution of December 15, 1868, No. 1.

That the commissioner of agriculture shall regard the library now under his control, and in his possession, as part of the property of the department of agriculture, and he shall retain the same in his charge as directed by section three of the act approved May fifteen, eighteen hundred and sixty-two, establishing a department of agriculture. [15 Stat. L. 343.]

Library of Department of Agriculture to be property of Department of Commissioner.

From the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1250.

LIBRARY, DEPARTMENT OF AGRICULTURE: General expenses, library: Purchase of technical books of reference, technical papers, and technical periodicals necessary for the work of the Department, and for expenses incurred in completing imperfect series, and for the employment of additional assistance in the city of Washington and elsewhere, when necessary; for traveling expenses, and for library fixtures, shelving, library cards, and other material, * * * [34 Stat. L. 1277.]

General and contingent expenses, library.

Provided, That section thirty-six hundred and forty-eight of the Revised Statutes shall not apply to the subscriptions for publications for the Department of Agriculture, and the Secretary of Agriculture is authorized to pay in advance for any publications for the use of this Department. [34 Stat. L. 1277.]

Subscriptions for publications for Department of Agriculture may be paid for in advance.

The same provision appears in the acts of June 30, 1906, ch. 3913, 34 Stat. L. 692; March 3, 1905, ch. 1405, 33 Stat. L. 880; April 23, 1904, ch. 1486, 33 Stat. L. 292; March 3, 1903, ch. 1008, 32 Stat. L. 1163. For sec. 3648 R. S., above referred to, see p. 66, *ante*.

And the Secretary of Agriculture is hereby authorized to furnish to such institutions or individuals as may care to buy them, copies of the card index of the publications of the Department and of other agricultural literature prepared by the library, and charge for the same a price

Card index of agricultural literature.

covering the additional expense involved in the preparation of these copies. [34 Stat. L. 1277.]

Substantially similar provisions are contained in the acts of June 30, 1906, ch. 3913, 34 Stat. L. 692; March 3, 1905, ch. 1405, 33 Stat. L. 880; April 23, 1904, ch. 1486, 33 Stat. L. 292.

OFFICE OF EXPERIMENT STATIONS.

An Act donating Public Lands to the several States and Territories which may provide Colleges for the Benefit of Agriculture and the Mechanic Arts.

[Act of July 2, 1862, ch. 130, 12 Stat. L. 503.]

Public lands granted to States for agricultural colleges.

That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each senator and representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: *Provided*, That no mineral lands shall be selected or purchased under the provisions of this act. [12 Stat. L. 503.]

Lands to be selected from lands for sale.

SEC. 2. That the land aforesaid, after being surveyed, shall be apportioned to the several States in sections or subdivisions of sections, not less than one-quarter of a section; and whenever there are public lands in a State subject to sale at private entry at one dollar and twenty-five cents per acre, the quantity to which said State shall be entitled shall be selected from such lands within the limits of such State, and the Secretary of the Interior is hereby directed to issue to each of the States in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre to which said State may be entitled under the provisions of this act land scrip to the amount in acres for the deficiency of its distributive share; said scrip to be sold by said States and the proceeds thereof applied to the uses and purposes prescribed in this act and for no other use or purpose whatsoever: *Provided*, That in no case shall any State to which land scrip may thus be issued be allowed to locate the same within the limits of any other State or of any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre: *And provided further*, That not more than one million acres shall be located by such assignees in any one of the States: *And provided further*, That no such location shall be made before one year from the passage of this act. [12 Stat. L. 503.]

Where lands are insufficient, scrip to be issued.

Expenses of management, etc., to be paid by States.

SEC. 3. That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the States to which they may belong, out of the treasury of said

States, so that the entire proceeds of the sale of said lands shall be applied without any diminution whatever to the purposes hereinafter mentioned. [12 Stat. L. 504.]

SEC. 4. That all moneys derived from the sale of lands aforesaid by the States to which the lands are apportioned, and from the sales of land-scrip hereinbefore provided for, shall be invested in stocks of the United States, or of the States, or some other safe stocks; or the same may be invested by the States having no State stocks, in any other manner after the legislatures of such States shall have assented thereto, and engaged that such funds shall yield not less than five per centum upon the amount so invested and that the principal thereof shall forever remain unimpaired: *Provided*. That the moneys so invested or loaned shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life. [22 Stat. L. 484.]

Proceeds of
sale of lands
to be invested.

Agricultural
colleges to be
supported.

Section 4 was amended to read as above by the act of March 3, 1883, ch. 102, 22 Stat. L. 484.

SEC. 5. That the grant of land and land scrip hereby authorized shall be made on the following conditions, to which, as well as to the provisions hereinbefore contained, the previous assent of the several States shall be signified by legislative acts:

Conditions
of grant.

Assent of
States.

First. If any portion of the fund invested, as provided by the foregoing section, or any portion of the interest thereon, shall, by any action or contingency, be diminished or lost, it shall be replaced by the State to which it belongs, so that the capital of the fund shall remain forever undiminished; and the annual interest shall be regularly applied without diminution to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any State under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms whenever authorized by the respective legislatures of said States.

Diminution
of fund to be
made up by
State.

Experimental
farms may be
authorized.

Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretence whatever, to the purchase, erection, preservation, or repair of any building or buildings.

Fund not to
be used for
buildings.

Colleges to be provided within five years.

Third. Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such State shall cease; and said State shall be bound to pay to the United States the amount received of any lands previously sold and that the title to purchasers under such State shall be valid.

Annual report of college to Secretary of the Interior.

Fourth. An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics, as may be supposed useful, one copy of which shall be transmitted by mail free, by each State, all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior.

Lands computed at maximum price.

Fifth. When lands shall be selected from those which have been raised to double the minimum price, in consequence of railroad grants, they shall be computed to States at the maximum price and the number of acres proportionally diminished.

No grant to State in rebellion.

Sixth. No State while in a condition of rebellion or insurrection against the Government of the United States shall be entitled to the benefit of this act.

Time limit for assent of State.

Seventh. No State shall be entitled to the benefits of this act unless it shall express its acceptance thereof to its legislature within two years from the date of its approval by the President. [12 Stat. L. 504.]

Land scrip not to be located until after January 1, 1863.

SEC. 6. That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty-three. [12 Stat. L. 505.]

Fees of land officers.

SEC. 7. That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now allowed for the location of military bounty land warrants under existing laws; *Provided* that their maximum compensation shall not be thereby increased. [12 Stat. L. 505.]

Governors of States to report sales of scrip.

SEC. 8. That the Governors of the several States in which scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, and the amount received for the same, and what appropriation has been made of the proceeds. [12 Stat. L. 505.]

An Act to amend the fifth Section of an Act entitled "An Act donating Public Lands to the several States and Territories which may provide Colleges for the Benefit of Agriculture and the Mechanic Arts," approved July 2, 1862, so as to extend the Time within which the Provision of said Act shall be accepted and such Colleges established.

[Act of July 23, 1866, ch. 209, 14 Stat. L. 208.]

Time for complying with act granting lands to States, etc., for agricultural, etc., colleges extended.

That the time in which the several States may comply with the provisions of the act of July two, eighteen hundred and sixty-six, for agricultural, etc., colleges extended.

hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," is hereby extended so that the acceptance of the benefits of the said act may be expressed within three years from the passage of this act, and the colleges required by the said act may be provided within five years from the date of the filing of such acceptance with the commissioner of the general land office: *Provided*, ^{Territory entitled to benefits on becoming State.} That when any Territory shall become a State and be admitted into the Union, such new State shall be entitled to the benefits of the said act of July two, eighteen hundred and sixty-two, by expressing the acceptance therein required within three years from the date of its admission into the Union, and providing the college or colleges within five years after such acceptance, as prescribed in this act: *Provided further*, That any State which has heretofore expressed its acceptance of the act herein referred to shall have the period of five years within which to provide at least one college, as described in the fourth section of said act, after the time for providing said college, according to the act of July second, eighteen hundred and sixty-two, shall have expired. [14 Stat. L. 208.]

An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto.

[Act of March 2, 1887, ch. 314, 24 Stat. L. 440.]

That in order to aid in acquiring and diffusing among ^{Experiment stations at State agricultural colleges.} the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science, there shall be established under direction of the college or colleges or agricultural department of colleges in each State or Territory established, or which may hereafter be established, in accordance with the provisions of an act approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," or any of the supplements to said act, a department to be known and designated as an "agricultural experiment station:" *Provided*, That in any State or Territory in which two such colleges have been or may be so established the appropriation hereinafter made to such State or Territory shall be equally divided between such colleges, unless the legislature of such State or Territory shall otherwise direct. [24 Stat. L. 440.]

Division of appropriation.

SEC. 2. That it shall be the object and duty of said experiment stations to conduct original researches or verify ^{Scope of researches of experiment stations.} experiments on the physiology of plants and animals;

the diseases to which they are severally subject, with the remedies for the same; the chemical composition of useful plants at their different stages of growth; the comparative advantages of rotative cropping as pursued under a varying series of crops; the capacity of new plants or trees for acclimation; the analysis of soils and water; the chemical composition of manures, natural or artificial, with experiments designed to test their comparative effects on crops of different kinds; the adaptation and value of grasses and forage plants; the composition and digestibility of the different kinds of food for domestic animals; the scientific and economic questions involved in the production of butter and cheese; and such other researches or experiments bearing directly on the agricultural industry of the United States as may in each case be deemed advisable, having due regard to the varying conditions and needs of the respective States or Territories. [24 Stat. L. 440.]

Supervision
by Secretary of
Agriculture;
reports; finan-
cial state-
ments.

SEC. 3. That in order to secure, as far as practicable, uniformity of methods and results in the work of said stations, it shall be the duty of the United States Commissioner of Agriculture to furnish forms, as far as practicable, for the tabulation of results of investigation or experiments; to indicate from time to time such lines of inquiry as to him shall seem most important, and, in general, to furnish such advice and assistance as will best promote the purpose of this act. It shall be the duty of each of said stations annually, on or before the first day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the said Commissioner of Agriculture, and to the Secretary of the Treasury of the United States. [24 Stat. L. 441.]

Bulletins;
reports; trans-
mitted postage
free.

SEC. 4. That bulletins or reports of progress shall be published at said stations at least once in three months, one copy of which shall be sent to each newspaper in the States or Territories in which they are respectively located, and to such individuals actually engaged in farming as may request the same and as far as the means of the station will permit. Such bulletins or reports and the annual reports of said stations shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster-General may from time to time prescribe. [24 Stat. L. 441.]

Annual ap-
propriations
from sales of
public lands;
buildings.

SEC. 5. That for the purpose of paying the necessary expenses of conducting investigations and experiments and printing and distributing the results as hereinbefore prescribed, the sum of fifteen thousand dollars per annum is hereby appropriated to each State, to be specially provided for by Congress in the appropriations from year to year, and to each Territory entitled under the

provisions of section eight of this act, out of any money in the Treasury proceeding from the sales of public lands, to be paid in equal quarterly payments on the first day of January, April, July, and October in each year, to the treasurer or other officer duly appointed by the governing boards of said colleges to receive the same, the first payment to be made on the first day of October, eighteen hundred and eighty-seven: *Provided, however,* That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such station; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended. [24 Stat. L. 441.]

SEC. 6. That whenever it shall appear to the Secretary of the Treasury from the annual statement of receipts and expenditures of any of said stations that a portion of the preceding annual appropriation remains unexpended, such amount shall be deducted from the next succeeding annual appropriation to such station, in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support. [24 Stat. L. 441.]

Unexpended appropriations.

SEC. 7. That nothing in this act shall be construed to impair or modify the legal relation existing between any of the said colleges and the government of the States or Territories in which they are respectively located. [24 Stat. L. 441.]

Relation of agricultural colleges to State or Territorial governments not affected by act.

SEC. 8. That in States having colleges entitled under this section to the benefits of this act and having also agricultural experiment stations established by law separate from said colleges, such States shall be authorized to apply such benefits to experiments at stations so established by such States; and in case any State shall have established, under the provisions of said act of July second aforesaid, an agricultural department or experimental station in connection with any university, college, or institution not distinctively an agricultural college or school, and such State shall have established or shall hereafter establish a separate agricultural college or school, which shall have connected therewith an experimental farm or station, the legislature of such State may apply in whole or in part the appropriation by this act made to such agricultural college, or school, and no legislature shall by contract express or implied disable itself from so doing. [24 Stat. L. 441.]

Application of act in States having experiment stations separate from agricultural colleges.

SEC. 9. That the grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purposes of said grants: *Provided,* That payment of such instalments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of

Grants of moneys subject to legislative assent.

its legislature meeting next after the passage of an act shall be made upon the assent of the governor then duly certified to the Secretary of the Treasury. [24 Stat. L. 442.]

Reservation of power to amend, etc., or repeal act.

SEC. 10. Nothing in this act shall be held or construed as binding the United States to continue any payments from the Treasury to any or all the States or institutions mentioned in this act, but Congress may at any time amend, suspend or repeal any or all the provisions of this act. [24 Stat. L. 442.]

An act to amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto."

[Act of June 7, 1888, ch. 373, 25 Stat. L. 176.]

Assent by governor to grant of money to State for agricultural experiment station.

That the grant of money authorized by the act of Congress entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second eighteen hundred and sixty-two, and of acts supplementary thereto," are subject as they are provided to the legislative assent of the States or Territories to be affected thereby; but as to such installments of the appropriations as may be now due or may be due after become due, when the legislature may not be in session, the governor of said State or Territory may make the same upon the assent therein provided, and upon a duly certified copy thereof to the Secretary of the Treasury he shall cause the same to be paid in the manner provided in the act of which this is amendatory, until the termination of the next regular session of the legislature of such State or Territory. [25 Stat. L. 176.]

An act to apply a portion of the proceeds of the public lands to the complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two.

[Act of August 30, 1890, ch. 841, 26 Stat. L. 417.]

Increased annual appropriation for agricultural colleges.

That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, arising from the sales of public lands, the sum of fifteen thousand dollars for the year ending June thirtieth, eighteen hundred and ninety, and an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of one thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be applied only to the construction in agriculture, the mechanic arts, the Eng-

OFFICE OF EXPERIMENT STATIONS.

language and the various branches of mathematical, physical, natural, and economic science, with special reference to their applications in the industries of life, and to the facilities for such instruction: *Provided*, That no money shall be paid out under this act to any State or Territory for the support and maintenance of a college where a distinction of race or color is made in the admission of students, but the establishment and maintenance of such colleges separately for white and colored students shall be held to be a compliance with the provisions of this act if the funds received in such State or Territory be equitably divided as hereinafter set forth: *Provided*, That in any State in which there has been one college established in pursuance of the act of July second, eighteen hundred and sixty-two, and also in which an educational institution of like character has been established, or may be hereafter established, and is now aided by such State from its own revenue, for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not it has received money heretofore under the act to which this act is an amendment, the legislature of such State may propose and report to the Secretary of the Interior a just and equitable division of the fund to be received under this act between one college for white students and one institution for colored students established as aforesaid, which shall be divided into two parts and paid accordingly, and thereupon such institution for colored students shall be entitled to the benefits of this act and subject to its provisions, as much as it would have been if it had been included under the act of eighteen hundred and sixty-two, and the fulfillment of the foregoing provisions shall be taken as a compliance with the provision in reference to separate colleges for white and colored students. [26 Stat. L. 417.]

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of colleges shall be annually paid on or before the thirty-first day of July of each year, by the Secretary of the Treasury, upon the warrant of the Secretary of the Interior, out of the Treasury of the United States, to the State or Territorial treasurer, or to such officer as shall be designated by the laws of such State or Territory to receive the same, who shall, upon the order of the trustees of the college, or the institution for colored students, immediately pay over said sums to the treasurers of the respective colleges or other institutions entitled to receive the same, and such treasurers shall be required to report to the Secretary of Agriculture and to the Secretary of the Interior, on or before the first day of September of each year, a detailed statement of the amount so received and of its disbursement. The grants of moneys authorized by this act are made subject to the legislative assent

Time, n
ner, etc.,
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States, etc

of the several States and Territories to the purpose of said grants: *Provided*, That payments of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury. [26 Stat. L. 418.]

Diminution of fund to be made up by State; fund not to be applied to buildings; reports of condition, etc., of colleges and as to experiment stations.

SEC. 3. That if any portion of the moneys received by the designated officer of the State or Territory for the further and more complete endowment, support, and maintenance of colleges, or of institutions for colored students, as provided in this act, shall, by any action or contingency, be diminished or lost, or be misapplied, it shall be replaced by the State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings. An annual report by the president of each of said colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information in relation to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their cost and results, and such other industrial and economical statistics as may be regarded as useful, one copy of which shall be transmitted by mail free to all other colleges further endowed under this act. [26 Stat. L. 418.]

Annual ascertainment and certification of amounts due to States, etc.; certificates withheld; appeal to Congress.

SEC. 4. That on or before the first day of July in each year, after the passage of this act, the Secretary of the Interior shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is entitled to receive its share of the annual appropriation for colleges, or of institutions for colored students, under this act, and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of the Interior shall withhold a certificate from any State or Territory of its appropriation the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it should so desire, appeal to Congress from the determination of the Secretary of the Interior. If the next Congress shall not direct such sum to be paid it shall be covered into the Treasury. And the Secretary of the Interior is hereby charged with the proper administration of this law. [26 Stat. L. 419.]

SEC. 5. That the Secretary of the Interior shall annually report to Congress the disbursements which have been made in all the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and if so, the reasons therefor. [26 Stat. L. 419.]

Report of disbursements and of withholding of appropriations.

SEC. 6. Congress may at any time amend, suspend, or been withheld, and if so, the reasons therefor. [26 Stat. L. 419.]

Reservation of power to amend, etc., or repeal act.

An Act To provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof.

[Act of March 16, 1906, ch. 951, 34 Stat. L. 63.]

That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory, for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the Act of Congress approved March second, eighteen hundred and eighty-seven, the sum of five thousand dollars in addition to the sum named in said Act for the year ending June thirtieth, nineteen hundred and six, and an annual increase of the amount of such appropriation thereafter for five years by an additional sum of two thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be thirty thousand dollars, to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States, having due regard to the varying conditions and needs of the respective States or Territories. [34 Stat. L. 63.]

Increased annual appropriations for agricultural experiment stations.

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of agricultural experiment stations shall be annually paid in equal quarterly payments on the first day of January, April, July, and October of each year by the Secretary of the Treasury, upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer duly appointed by the governing boards of said experiment stations to receive the same, and such officers shall be required to report to the Secretary of Agriculture on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement, on schedules prescribed by the Secretary of Agriculture. The grants of money authorized by this Act are made subject to legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any

Time, manner, etc., of annual payments to States, etc.; legislative assent, or assent by governor.

State or Territory before the adjournment of the regular session of legislature meeting next after the passage of this Act shall be made upon the assent of the governor thereof, duly certified by the Secretary of the Treasury. [34 Stat. L. 63.]

Diminution of fund to be made up by State, etc.; fund not to be applied to buildings; reports of operations, etc., of stations, including statements of receipts and expenditures.

SEC. 3. That if any portion of the moneys received by the designated officer of any State or Territory for the further and more complete endowment, support, and maintenance of agricultural experiment stations as provided in this Act shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys exceeding five per centum of each annual appropriation shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings, or to the purchase or rental of land. It shall be the duty of each of said stations annually, on or before the first day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the Secretary of Agriculture, and to the Secretary of the Treasury of the United States. [34 Stat. L. 63.]

Annual ascertainment and certification of amounts due to States, etc.; certificates withheld; appeal to Congress.

SEC. 4. That on or before the first day of July in each year after the passage of this Act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is complying with the provisions of this Act and is entitled to receive its share of the annual appropriation for agricultural experiment stations under this Act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of Agriculture shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President and the amount involved shall be kept separate in the Treasury until the close of the next Congress in order that the State or Territory may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury; and the Secretary of Agriculture is hereby charged with the proper administration of this law. [34 Stat. L. 64.]

Report of receipts and expenditures and work of stations, and of withholding of appropriations.

SEC. 5. That the Secretary of Agriculture shall make an annual report to Congress on the receipts and expenditures and work of the agricultural experiment stations in all of the States and Territories, and also whether the appropriation of any State or Territory has been withheld; and if so, the reason therefor. [34 Stat. L. 64.]

SEC. 6. That Congress may at any time amend, suspend, or repeal any or all of the provisions of this Act. [34 Stat. L. 64.]

Reservation of power to amend, etc., or repeal act.

From the agricultural appropriation act of June 30, 1906, ch. 3913, 34 Stat. L. 669.

The Act of Congress approved March sixteenth, nineteen hundred and six, entitled "An Act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditures thereof," shall be construed to appropriate for each station the sum of five thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and six, the sum of seven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and seven, the sum of nine thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eight, the sum of eleven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and nine, the sum of thirteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and ten, and the sum of fifteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eleven. The sum of five thousand dollars appropriated for the fiscal year nineteen hundred and six shall be paid on or before June thirtieth, nineteen hundred and six, and the amounts appropriated for the subsequent years shall be paid as provided in the said Act to each State and Territory for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the Act of Congress approved March second, eighteen hundred and eighty-seven. [34 Stat. L. 696.]

Construction of act March 16, 1906, ch. 951; annual appropriations for agricultural experiment stations.

From the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 669.

That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of agricultural colleges now established, or which may hereafter be established, in accordance with the Act of Congress approved July second, eighteen hundred and sixty-two, and the Act of Congress approved August thirtieth, eighteen hundred and ninety, the sum of five thousand dollars, in addition to the sums named in the said Act, for the fiscal year ending June thirtieth, nineteen hundred and eight, and an annual increase of the amount of such appropriation thereafter for four years by an additional sum of five thousand dollars over the preceding year, and the annual sum to be paid thereafter to each State and Territory shall be fifty thousand dollars, to be applied only for the purposes of the agricultural colleges as defined and limited in the Act of Congress approved July second,

Increased annual appropriation for agricultural colleges; time, manner, etc., of annual payments to States, etc.; portion of fund available for preparation of instructors and teaching agriculture, etc.

eighteen hundred and sixty-two, and the Act of Congress approved August thirtieth, eighteen hundred and ninety.

That the sum hereby appropriated to the States and Territories for the further endowment and support of the colleges shall be paid by, to, and in the manner prescribed by the Act of Congress approved August thirtieth, eighteen hundred and ninety, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of the Act of Congress approved July second, eighteen hundred and sixty-two," and the expenditure of the said money shall be governed in all respects by the provisions of the said Act of Congress approved July second, eighteen hundred and sixty-two, and the said Act of Congress approved August thirtieth, eighteen hundred and ninety: *Provided*, That said colleges may use a portion of this money for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts. [34 Stat. L. 1281.]

From the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256.

Carrying in-
to effect act
March 2, 1887,
and act July 2,
1862, etc.

AGRICULTURAL EXPERIMENT STATIONS: To carry into effect the provisions of an Act approved March second, eighteen hundred and eighty-seven, entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an Act approved July second, eighteen hundred and sixty-two, and of the Acts supplementary thereto," and to enforce the execution thereof, * * * dollars of which sum shall be payable upon the order of the Secretary of Agriculture, to enable him to carry out the provisions of section three of said Act of March second, eighteen hundred and eighty-seven, [34 Stat. L. 1278.]

Form of fi-
nancial state-
ment of agri-
cultural experi-
ment stations.

and the Secretary of Agriculture shall prescribe the form of the annual financial statement required by section three of said Act of March second, eighteen hundred and eighty-seven; shall ascertain whether the expenditures under the appropriation hereby made are in accordance with the provisions of said Act, and shall make report thereon to Congress. [34 Stat. L. 1278.]

The same provision occurs in several preceding acts. See 34 Stat. L. 693; 33 Stat. L. 881; 33 Stat. L. 293; 32 Stat. L. 1164; 32 Stat. L. 301; 31 Stat. L. 935; 31 Stat. L. 198; 30 Stat. L. 953; 30 Stat. L. 335; 30 Stat. L. 6; 29 Stat. L. 103; 28 Stat. L. 734; 28 Stat. L. 271.

To carry out
provisions of
act March 16,
1906.

and to carry out the provisions of section two, four, and five of an Act approved March sixteenth, nineteen hundred and six, entitled "An Act to provide for an in-

creased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," [34 Stat. L. 1278.]

and the Secretary of Agriculture is hereby authorized to rent offices and to employ such assistants, clerks, and other persons as he may deem necessary, in the city of Washington and elsewhere, and to incur such other expenses for office fixtures and supplies, stationery, traveling, freight, and express charges, illustration of the Experiment Station Record, bulletins, and reports as he may find essential in carrying out the objects of the above Acts; and the sums apportioned to the several States shall be paid quarterly in advance. [34 Stat. L. 1278.]

The same provision has appeared in the acts for a number of years. See 34 Stat. L. 693; 33 Stat. L. 881; 33 Stat. L. 293; 32 Stat. L. 1164; 32 Stat. L. 302; 31 Stat. L. 935; 31 Stat. L. 199; 30 Stat. L. 953; 30 Stat. L. 335; 30 Stat. L. 6; 29 Stat. L. 103; 28 Stat. L. 734; 28 Stat. L. 271; 27 Stat. L. 740; 27 Stat. L. 80; 26 Stat. L. 1050.

And the Secretary of Agriculture is hereby authorized to furnish to such institutions or individuals as may care to buy them copies of the card index of agricultural literature prepared by the Office of Experiment Stations, and charge for the same a price covering the additional expense involved in the preparation of these copies; and he is hereby authorized to apply the moneys received toward the expense of the preparation of the index, and this fund shall be available until used; [34 Stat. L. 1278.]

Similar provisions occur in the acts of June 30, 1906, ch. 3913, 34 Stat. L. 693; March 3, 1905, ch. 1405, 33 Stat. L. 881; April 23, 1904, ch. 1486, 33 Stat. L. 293; March 3, 1903, ch. 1008, 32 Stat. L. 1164; June 3, 1902, ch. 985, 32 Stat. L. 302; March 2, 1901, ch. 805, 31 Stat. L. 935; May 25, 1900, ch. 555, 31 Stat. L. 199; March 1, 1899, ch. 325, 30 Stat. L. 953; March 22, 1898, ch. 85, 30 Stat. L. 335; April 23, 1897, ch. 1, 30 Stat. L. 6; April 25, 1896, ch. 140, 29 Stat. L. 104; March 2, 1895, ch. 169, 28 Stat. L. 734; August 8, 1894, ch. 238, 28 Stat. L. 271; March 3, 1893, ch. 214, 27 Stat. L. 741; July 5, 1892, ch. 147, 27 Stat. L. 80.

and the Secretary of Agriculture is hereby authorized to expend * * * dollars, of which sum to establish and maintain agricultural experiment stations in Alaska, Hawaii, and Porto Rico, including the erection of buildings, the printing (in Hawaii and Porto Rico), illustration, and distribution of reports and bulletins: *Provided*, That not more than * * * dollars shall be expended for the maintenance of such stations in any one of said Territories; [34 Stat. L. 1278.]

Similar provisions appear in the acts of June 30, 1906, ch. 3913, 34 Stat. L. 693; March 3, 1905, ch. 1405, 33 Stat. L. 881; April 23, 1904, ch. 1486, 33 Stat. L. 294; March 3, 1903, ch. 1008, 32 Stat. L. 1164; June 3, 1902, ch. 985, 32 Stat. L. 302; March 2, 1901, ch. 805, 31 Stat. L. 935.

Sale of products from Alaska, Hawaii, and Porto Rico agricultural experiment stations. and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, and Porto Rico and to apply the money received from the sale of such products to the maintenance of said stations, and this fund shall be available until used; * * * [34 Stat. L. 1279.]

Similar provisions are contained in the acts of June 30, 1906, ch. 3913, 34 Stat. L. 693; March 3, 1905, ch. 1405, 33 Stat. L. 881; April 23, 1904, ch. 1486, 33 Stat. L. 294; March 3, 1903, ch. 1008, 32 Stat. L. 1164; June 3, 1902, ch. 985, 32 Stat. L. 302.

Portion of fund to be used for farmers' institutes and agricultural schools. *Provided*, That * * * dollars of this sum shall be used by the Secretary of Agriculture to investigate and report upon the organization and progress of farmers' institutes and agricultural schools in the several States and Territories, and upon similar organizations in foreign countries, with special suggestions of plans and methods for making such organizations more effective for the dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations and of improved methods of agricultural practice. [34 Stat. L. 1279.]

Leaves of absence of employees of Alaska, Hawaii, and Porto Rico experiment stations. And the employees of the experiment stations in Alaska, Hawaii, and Porto Rico may hereafter, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leave of absence not to exceed fifteen days in any one year, which leave may, in exceptional and meritorious cases where such an employee is ill, be extended, in the discretion of the Secretary of Agriculture, not to exceed fifteen days additional in any one year. [34 Stat. L. 1279.]

Nutrition investigations; contingent expenses. Nutrition Investigations: To enable the Secretary of Agriculture to incur such expenses as may be necessary for the packing, transporting to and storing in Washington, District of Columbia, of all apparatus now the property of the Government and used in the nutrition investigations, * * * dollars, or so much thereof as may be necessary. [34 Stat. L. 1279.]

From the agricultural appropriation act of June 30, 1906, ch. 3913, 34 Stat. L. 669.

Nutrition investigations; agricultural experiment stations to cooperate with Department; report of stations on results obtained. NUTRITION INVESTIGATIONS: * * * the agricultural experiment stations are authorized and directed to cooperate with the Secretary of Agriculture in carrying out said investigations in such manner and to such extent as may be warranted by a due regard to the varying conditions and needs of the respective States and Territories, and as may be mutually agreed upon; and the Secretary of Agriculture is hereby authorized to require said stations to report to him the results of any such investigations which they may carry out, whether in co-

operation with the said Secretary of Agriculture or otherwise, * * * [34 Stat. L. 694.]

Similar provisions appear in previous acts for several years. See 33 Stat. L. 882; 33 Stat. L. 294; 32 Stat. L. 1164; 32 Stat. L. 302; 31 Stat. L. 936; 31 Stat. L. 199; 30 Stat. L. 953; 30 Stat. L. 335; 30 Stat. L. 6; 29 Stat. L. 104; 28 Stat. L. 735; 28 Stat. L. 271. The provision is omitted from the act of March 4, 1907, ch. 2907.

From the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256.

IRRIGATION AND DRAINAGE INVESTIGATIONS: To enable the Secretary of Agriculture to investigate and report upon the laws of the States and Territories as affecting irrigation and the rights of appropriators and of riparian proprietors and institutions relating to irrigation and upon the use of irrigation waters, at home and abroad, with especial suggestions of the best methods for the utilization of irrigation waters in agriculture, and upon plans for the removal of seepage and surplus waters by drainage and upon the use of different kinds of power and appliances for irrigation and drainage, and for the preparation, printing, and illustration of reports and bulletins on irrigation and drainage, including employment of labor in the city of Washington or elsewhere; and all necessary expenses, * * * [34 Stat. L. 1279.]

Irrigation and drainage investigations; contingent expenses.

Substantially similar provisions were enacted in the acts of June 30, 1906, ch. 3913, 34 Stat. L. 694; March 3, 1905, ch. 1405, 33 Stat. L. 882; April 23, 1904, ch. 486, 33 Stat. L. 294; March 3, 1903, ch. 1008, 32 Stat. L. 1165; June 3, 1902, ch. 985, 32 Stat. L. 302; March 2, 1901, ch. 805, 31 Stat. L. 936; May 25, 1900, ch. 555, 31 Stat. L. 199; March 1, 1899, ch. 325, 30 Stat. L. 953.

From the agricultural appropriation act of June 30, 1906, ch. 3913, 34 Stat. L. 689.

IRRIGATION AND DRAINAGE INVESTIGATIONS: * * * and the agricultural experiment stations are hereby authorized and directed to cooperate with the Secretary of Agriculture in carrying out said investigations in such manner and to such extent as may be warranted by a due regard to the varying conditions and needs and laws of the respective States and Territories as may be mutually agreed upon, * * * [34 Stat. L. 694.]

Irrigation and drainage investigations; agricultural experiment stations to cooperate with Department of Agriculture.

Similar provisions appear in acts of March 3, 1905, ch. 1405, 33 Stat. L. 882; April 23, 1904, ch. 486, 33 Stat. L. 294; March 3, 1903, ch. 1008, 32 Stat. L. 1165; June 3, 1902, ch. 985, 32 Stat. L. 302; March 2, 1901, ch. 805, 31 Stat. L. 936; May 25, 1900, ch. 555, 31 Stat. L. 199; March 1, 1899, ch. 325, 30 Stat. L. 953. The provision is omitted from the act of March 4, 1907, ch. 2907.

From the agricultural appropriation act of March 2, 1899, ch. 373, 25 Stat. L. 835.

* * * That, as far as practicable, all such stations shall devote a portion of their work to the examination and classification of the soils of their respective States and Territories, with a view to securing more extended knowledge and better development of their agricultural capabilities. [25 Stat. L. 841.]

Examination of soils by agricultural experiment stations.

From the agricultural appropriation act of March 3, 1905, ch. 1405, 33 Stat. L. 861.

Agricultural experiment stations to cooperate with Department of Agriculture in establishing and maintaining experimental grass stations.

* * * and the agricultural experiment stations are hereby authorized and directed to cooperate with the Secretary of Agriculture in establishing and maintaining experimental grass stations, for determining the best methods of caring for and improving meadows and grazing lands, the use of different grasses and forage plants, and their adaptability to various soils and climates, the best native and foreign species for reclaiming overstocked ranges and pastures, for renovating worn-out lands, for binding drifting sands and washed lands, and for turfing lawns and pleasure grounds, and for solving the various forage problems presented in the several sections of our country, * * * [33 Stat. L. 869.]

Substantially similar provisions were enacted in previous appropriation acts. See 33 Stat. L. 283; 32 Stat. L. 1154; 32 Stat. L. 293; 31 Stat. L. 928; 31 Stat. L. 198; 30 Stat. L. 953.

Joint Resolution Providing for printing annually the Report of the Director of the Office of Experiment Stations, Department of Agriculture. [Resolution of April 27, 1904, No. 29.]

Report of the Director of the Office of Experiment Stations ordered printed; number of copies.

That there be printed eight thousand copies of the Report of the Director of the Office of Experiment Stations, prepared under the supervision of the Secretary of Agriculture, on the work and expenditures of that office and of the agricultural experiment stations established in the several States and Territories under the Act of Congress of March second, eighteen hundred and eighty-seven, for nineteen hundred and three, of which one thousand copies shall be for the use of the Senate, two thousand copies for the use of the House of Representatives, and five thousand copies for the use of the Department of Agriculture; and that annually hereafter a similar report shall be prepared and printed, the edition to be the same as for the report herein provided. [33 Stat. L. 590.]

OFFICE OF PUBLIC ROADS.

From the agricultural appropriation act of March 4, 1907, ch. 2907, 34 Stat. L. 1256.

General and contingent expenses, Office of Public Roads.

PUBLIC ROADS: To enable the Secretary of Agriculture to make inquiries in regard to systems of road management throughout the United States; to furnish expert advice on road building; to make investigations in regard to the best methods of road making, and the best kinds of road-making materials in the several States; to investigate the chemical and physical character of road materials; for the employment of local and special agents, clerks, assistants, and other labor required in the city of Washington and elsewhere; for collating, digesting, reporting, and illustrating the results of such investigations and experiments; for preparing, publishing, and dis-

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